

July 24, 2008

Via E-mail and USPS

filed electronically in docket office on 07/24/08

Chairman Tre Hargett
c/o Ms. Sharla Dillon
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Docket No. 08-00039
In Re: Petition of Tennessee American Water Company to Change and
Increase Certain Rates

Dear Chairman Hargett:

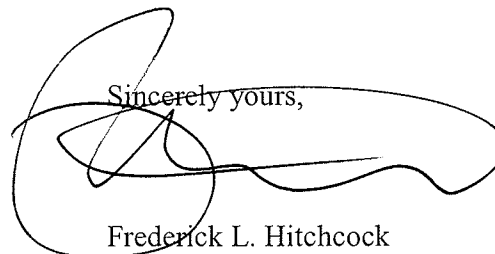
Enclosed please find an original and five (5) copies of the following documents which have been filed electronically and served today, on behalf of the City of Chattanooga:

1. City of Chattanooga's Renewed Motion to Ask Discovery Questions; and
2. City of Chattanooga's Second Discovery Requests to Petitioner Tennessee American Water Company.

I would appreciate you stamping the extra copy of each of these documents as "filed," and returning them to me in the enclosed, self-addressed and stamped envelope.

With best regards, I am

Sincerely yours,



Frederick L. Hitchcock

FLH:kwr

Enclosures

cc: Ryan L. McGehee, Esq. (w/encl)
Timothy C. Phillips, Esq. (w/encl)
David C. Higney, Esq. (w/encl)
R. Dale Grimes, Esq. (w/encl)
Ross Ian Booher, Esq. (w/encl)
J. Davidson French, Esq. (w/encl)
Adam Futrell, Esq. (w/encl)
Erin Everitt, Esq. (w/encl)
Henry M. Walker, Esq. (w/encl)
Michael A. McMahan, Esq. (w/encl)

**IN THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

IN RE:)	
)	
PETITION OF TENNESSEE)	
AMERICAN WATER COMPANY TO)	
CHANGE AND INCREASE CERTAIN)	
RATES AND CHARGES SO AS TO)	DOCKET NO. 08-00039
PERMIT IT TO EARN A FAIR AND)	
ADEQUATE RATE OF RETURN ON)	
ITS PROPERTY USED AND USEFUL IN)	
FURNISHING WATER SERVICE TO)	
ITS CUSTOMERS)	

**CITY OF CHATTANOOGA'S RENEWED MOTION TO ASK ADDITIONAL
DISCOVERY QUESTIONS**

Intervenor, the City of Chattanooga (Chattanooga), by and through counsel, pursuant to TRA Rule 1220-1-2-.11(5)(a), hereby moves for leave to ask additional discovery questions of Tennessee American Water Company ("TAWC" or "Company").

In support of this Motion, Chattanooga shows as follows:

1. On June 2, 2008, Chattanooga filed in this docket the City of Chattanooga's Motion to Compel and to Extend Deadlines and Motion to Compel or Alternative Motion For Permission to Propound Additional Discovery, wherein Chattanooga demonstrated its need to ask additional discovery questions, primarily because this matter involves a complex rate case that requires the analysis of a substantial number of technical and fact-intensive issues. Chattanooga renews this motion and incorporates the Motion by reference as if fully rewritten herein.

2. Chattanooga's second round of discovery requests is limited to the following categories of questions: (a) questions related to TAWC's proposed witnesses, positions, and trial exhibits that were not asked during the first round of discovery; (b) follow-up questions that have

arisen as a result of Chattanooga's review and analysis of the information provided from the first round of discovery; (c) questions requesting updated financial and operational information that was not available at the time Chattanooga issued its first round of discovery requests; and (d) clarifying questions to obtain information that was requested during the first round of discovery but not provided.¹

3. Chattanooga needs TAWC's answers to the discovery requests set forth in the City of Chattanooga's Second Discovery Requests to Petitioner Tennessee American Water Company, which is filed contemporaneously with this renewed motion, in order to adequately prepare for the hearing on the merits in this matter.

4. If Chattanooga is not allowed to obtain the information it needs to adequately prepare for the hearing on the merits in this matter, its opportunity for a fair hearing will be harmed and its due process rights will be infringed.

WHEREFORE, the City of Chattanooga requests the Hearing Officer to approve its renewed motion to ask additional discovery questions of TAWC.

Respectfully submitted,

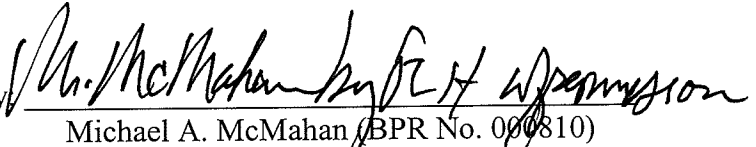
By: 

Frederick L. Hitchcock (BPR No. 005960)
Harold L. North, Jr. (BPR No. 007022)
Chambliss, Bahner & Stophel, P.C.
1000 Tallan Building, Two Union Square
Chattanooga, Tennessee 37402-2500
Telephone: (423) 756-3000

Attorneys for the City of Chattanooga

¹ See Order on Discovery Disputes Argued During the June 20, 2008 Status Conference, pp. 7-9, entered by the Hearing Officer in this docket on July 18, 2008.

CITY OF CHATTANOOGA, TENNESSEE
RANDALL L. NELSON, CITY ATTORNEY

By  *Michael A. McMahan by E.H. H. permission*
Michael A. McMahan (BPR No. 000810)
Valerie Malueg (BPR No. 023763)
801 Broad Street, Suite 400
Chattanooga, TN 37450-0900
Telephone: (423) 757-5338

Attorneys for the City of Chattanooga

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served a true and correct copy of the foregoing pleading by electronic mail and by depositing same in the United States mail, postage prepaid, and addressed to the following:

Ryan L. McGehee, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, TN 37202-0207
ryan.mcgehee@state.tn.us

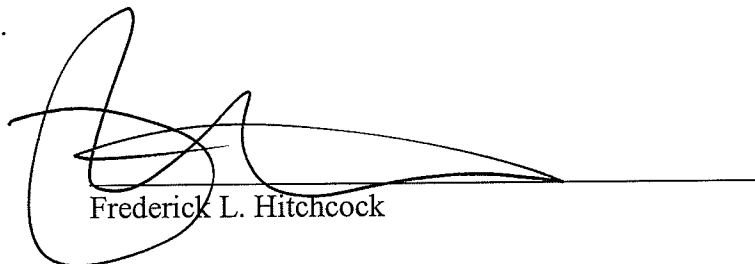
Timothy C. Phillips, Esq.
Office of the Attorney General
Consumer Advocate & Protection Division
P.O. Box 20207
Nashville, TN 37202
timothy.phillips@state.tn.us

David C. Higney, Esq.
Grant, Konvalinka & Harrison, P.C.
Ninth Floor, Republic Centre
633 Chestnut Street
Chattanooga, TN 37450-0900
dhigney@gkhpc.com

R. Dale Grimes, Esq.
Ross Ian Booher, Esq.
J. Davidson French, Esq.
Adam Futrell, Esq.
Erin Everitt, Esq.
BASS, BERRY & SIMS, PLC
315 Deadrick Street, Suite 2700
Nashville, TN 37238-3001
dgrimes@bassberry.com
rbooher@bassberry.com
dfrench@bassberry.com
afutrell@bassberry.com
eeveritt@bassberry.com

Henry M. Walker, Esq.
Boult, Cummings, Conners & Berry, PLC
1600 Division Street, Suite 700
P.O. Box 340025
Nashville, TN 37203
hwalker@boultcummings.com

This the 24th day of July, 2008.


Frederick L. Hitchcock