



## TENNESSEE REGULATORY AUTHORITY

460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

July 30, 2008

Via Electronic Mail

R. Dale Grimes, Esq.  
Ross Ian Booher, Esq.  
Bass, Berry & Sims PLC  
315 Deaderick Street  
Suite 2700  
Nashville, TN 37238

Frederick L. Hitchcock, Esq.  
Harold L. North, Jr., Esq.  
Chambliss, Bahner & Stophel, P.C.  
1000 Tallan Building  
Two Union Square  
Chattanooga, TN 37402-2500

Henry M. Walker, Esq.  
Boult, Cummings, Connors & Berry, PLC  
1600 Division Street  
Suite 700  
Nashville, TN 37203

Michael A. McMahan, Esq.  
Valerie L. Malueg, Esq.  
Special Counsel  
City of Chattanooga  
801 Broad Street  
Suite 400  
Chattanooga, TN 37402

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

Timothy C. Phillips, Esq.  
Ryan L McGehee, Esq.  
Assistant Attorney General  
Office of the Attorney General and Reporter  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202-0207

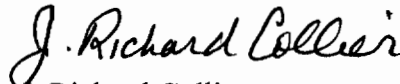
Dear Sirs and Madame:

This letter is being sent to the parties to address two motions filed on July 24, 2008 by the Intervenor's relating to the second round of discovery, specifically the *City of Chattanooga's Renewed Motion to Ask Additional Discovery Questions* and the *Consumer Advocate and Protection Division's Renewed Motion to Ask Additional Discovery Questions*. These motions accompany discovery requests propounded by the City and the Consumer Advocate to Tennessee American Water Company. By all appearances, each Intervenor has propounded less than forty requests, including subparts, which would place each set of discovery requests within the limit established in Authority Rule 1220-1-2-.11(5)(a) for the second round of discovery.

It is my understanding from the proceedings and filings in this docket that all previous discussions concerning limitations on discovery were applicable only to the first round of discovery. The similar motions that were filed in the context of the first round of discovery were resolved by agreement of the parties as reflected in the *Agreed Order Regarding Discovery and Disposing of Certain Outstanding Motions Following June 4, 2008 Status Conference (Amended by Hearing Officer)* issued on June 13, 2008.

For this reason, I do not see a need for the motions as to the second round of discovery. No motion requesting permission would be needed unless the second round requests exceed the forty question limitation contained in Authority Rule 1220-1-2-.11(5)(a). It appears to me that neither the City nor the Consumer Advocate exceeded the forty question limitation; therefore, no relief from the rule is required. Given these comments, TAWC should respond or otherwise object to the requests in accordance with the procedural schedule.

Very truly yours,

A handwritten signature in black ink that reads "J. Richard Collier". The signature is written in a cursive, flowing style.

J. Richard Collier  
Hearing Officer

c: Original in Docket No. 08-00039