

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**PETITION OF TENNESSEE-
AMERICAN WATER COMPANY TO
CHANGE AND INCREASE CERTAIN
RATES AND CHARGES**

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**DOCKET NO.
10-00189**

**AMENDMENT TO THE CONSUMER ADVOCATE'S MOTION TO COMPEL
TENNESSEE AMERICAN WATER COMPANY TO PROVIDE RESPONSES TO THE
DISCOVERY REQUESTS OF THE CONSUMER ADVOCATE**

The Consumer Advocate and Protection Division ("Consumer Advocate"), respectfully moves to amend its Motion to compel Tennessee American Water Company ("TAWC" or "Company") to fully and completely respond to the first discovery requests of the Consumer Advocate as set forth below:

INTRODUCTION

The Consumer Advocate received TAWC's responses to the Consumer Advocate's first round of discovery requests on Monday, November 15, 2010; accordingly, the Consumer Advocate has continued to review the data provided by TAWC for completeness and responsiveness both before and since the deadline for filing Motions to Compel on November 18, 2010. The purpose of this amendment to the Consumer Advocate's motion to compel is to advise the Tennessee Regulatory Authority ("TRA", "Authority") and the parties that the Consumer Advocate no longer seeks to compel TAWC to respond further to discovery requests 4, 5, 6, and 7 after further consultation and review with the Consumer Advocate's consultant in an effort to streamline the status conference scheduled for November 22, 2010. Furthermore, this amendment seeks to compel TAWC to respond to discovery request 10, as described herein.

In summary, the Consumer Advocate and TAWC have been unable to resolve the

disputes to discovery requests 9, 10, 35, 36, 37, 39, 40, 43, and 52-126.¹

CONSUMER ADVOCATE DISCOVERY REQUEST 10

The Consumer Advocate seeks to compel TAWC for a complete response to discovery request 10. The discovery request and response of TAWC is as follows:

10. Provide a copy of and a citation for the source document for Dr. Vander Weide's I/B/E/S growth rates.

RESPONSE: The I/B/E/S growth rates used in Dr. Vander Weide's studies and shown in his schedules are downloaded electronically from Thomson Reuters. There is no source document.

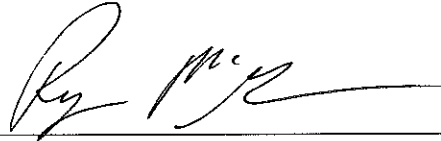
The Consumer Advocate submits this is an incomplete response. As the source of Dr. Vander Weide's growth rates are electronic and from a webpage, printed copies of the webpages utilized with web addresses would be a satisfactory response. This information is needed to confirm the calculations of Dr. Vander Weide's growth rates as well as to see whether the growth rates have changed.

CONCLUSION

WHEREFORE, the Consumer Advocate requests the Hearing Officer to enter an order compelling TAWC to produce full and complete answers to the Consumer Advocate's discovery requests, as outlined in the Consumer Advocate's Motion to Compel, as amended, above, on or before November 29, 2008, or within such other time as the Hearing Officer may deem reasonable.

¹ The Consumer Advocate has not discussed the inadequate response to discovery request 10 with TAWC. The Consumer Advocate will seek to discuss discovery request 10 with the Company prior to the status conference.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'Ryan L. McGehee', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

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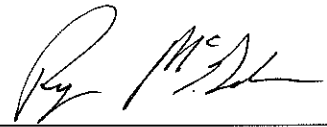
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on this the 20th day of November, 2010.



Ryan L. McGehee