

Sharla Dillon - Docket No. 10-00189 Responses to Discovery

From: Richard Collier
To: Dillon, Sharla
Date: 11/24/2010 4:33 PM
Subject: Docket No. 10-00189 Responses to Discovery
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To the Parties:

Based on the agreements with respect to discovery, as presented by the parties at the Status Conference on November 22, 2010, the following is a summary of the resolution of parties' respective Objections/Motions to Compel.

Discovery Requests resolved by agreement:

City's Requests:

RESOLVED

A (#32-40)
C (General Objection re definitions)
D/in part (format of documents)
E (General Objection #9)
F (#2, 18, 19)
H (#4)
J (#7)
N (#28)

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B (General Objection #3)
D/in part (issue that overlaps M re failure to provide attachments)
G (#3)
I (#4, 5, 6, 9)
K (#8)
L (#11)
M (#21-27)

Consumer Advocate's Requests:

RESOLVED

#4, 5, 6, 7 - Withdrawn (see, Amendment to Motion)
#9 (risk premiums of common stock)
#10 (source IBES rates in Vander Weide's testimony - citation/documents)

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#35, 36, 37, 39, 40, 43

CRMA's Requests:

RESOLVED

#1, 5, 9, 11, 14, 15, 19, 22, 23 (including native data formats) - resolved/materials included on CD recently received from TAWC.

#10(a) - TAWC responded at status conference and said "Company owns all tanks."

#5 (the cost data on lost water) - TAWC does not keep data on lost water (unaccounted for water)

#19 (the cost data on main break info) - TAWC does not keep data on main break cost

#2, 3, 5, 6, and 21 - Company said that they are going to attempt to give the information to CRMA

REMAINING IN DISPUTE

None ~

Foregoing is based on the notes taken during the Status Conference on November 22, 2010, reflecting the oral presentations of the parties. To the extent that there is some disagreement with or need for correction to the above list, please notify Kelly Grams or Shilina Chatterjee Brown as soon as practicable.

The Procedural Schedule calls for supplemental responses to be provided on November 29, 2010. Please provide supplemental responses to the above listed resolved requests on November 29. Supplemental responses that may be required after entry of the Hearing Officer's order on unresolved objections/motions to compel shall be filed by the date set forth in the Order.

As to the additional discovery permitted by the Hearing Officer, the parties have agreed to the following expedited schedule: Tennessee American Water Company will provide to the Intervenor and TRA General Counsel the Company's objections and responses (without documentation) to the additional discovery on **Tuesday, November 30, 2010**. Responsive documentation will be provided to the parties on **Wednesday, December 1, 2010** and filed in the docket by **10:00 a.m. on Thursday, December 2, 2010**. The parties will meet with General Counsel in the Hearing Room of the TRA at **1:00 p.m. on Thursday, December 2, 2010** in an attempt to resolve any objections or incomplete responses filed as to the additional discovery, without the requirement for filing motions to compel. Dates for any supplemental responses to additional discovery will be established at that time.

Please remember that all electronic correspondence and filings should be copied to kelly.grams@tn.gov, shilina.chatterjeebrown@tn.gov, and monica.smith-ashford@tn.gov

Thank you for your cooperation in and attention to these matters as noted.

Richard Collier