



1000 Tallan Building
Two Union Square
Chattanooga, TN 37402
Tel 423.756.3000
www.cbslawfirm.com

Tom Greenholtz
Tel 423.757.0256
Fax 423.508.1256
tgreenholtz@cbslawfirm.com

January 7, 2011

filed electronically in docket office on 01/07/11

Via E-Mail and USPS

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

**Re: Petition of Tennessee American Water Company
Docket No. 10-00189**

Dear Chairman Freeman:

Enclosed please find an original and five (5) copies of The City of Chattanooga's Third Motion to Compel Tennessee American Water Company to Respond to Discovery Requests. I would appreciate you stamping the extra copy of each document as "filed," and returning it to me in the enclosed, self-addressed and stamped envelope.

With best regards, I am

Sincerely yours,

Tom Greenholtz

FLH/meb
Enclosures

Chairman Mary Freeman
c/o Ms. Sharla Dillon
January 7, 2011
Page 2

cc: Mr. J. Richard Collier (w/encl.)
Mr. Vance L. Broemel (w/encl.)
Mr. T. Jay Warner
Mr. Ryan L. McGehee
Ms. Mary L. White
Mr. David C. Higney (w/encl.)
Mr. Henry M. Walker (w/encl.)
Mr. Michael A. McMahan (w/enc.)
Mr. R. Dale Grimes (w/encl.)
Mr. Mark Brooks (w/encl.)
Mr. Scott H. Strauss (w/encl.)
Ms. Katharine M. Mapes
Mr. Donald L. Scholes (w/encl.)
Ms. Kelly Cashman-Grams (via email; w/encl.)
Ms. Monica Smith-Ashford (via email; w/encl.)
Ms. Shilina Chatterjee Brown (via email; w/encl.)

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

IN RE:	)	
	)	
PETITION OF TENNESSEE AMERICAN	)	Docket No. 10-00189
WATER COMPANY TO CHANGE AND	)	
INCREASE CERTAIN RATES AND	)	
CHARGES.	)	

**THE CITY OF CHATTANOOGA'S THIRD MOTION TO COMPEL TENNESSEE
AMERICAN WATER COMPANY TO RESPOND TO DISCOVERY REQUESTS**

The City of Chattanooga ("Chattanooga"), by and through counsel, submits this Motion seeking an order compelling the Petitioner, Tennessee-American Water Company ("TAWC") to respond fully to Chattanooga's First Discovery Requests by providing documents previously withheld by TAWC as privileged or subject to the work product protection.

In the Order entered December 23, 2010, the Hearing Officer instructed TAWC to comply with the provisions of Tenn. R. Civ. P. 26(b)(5):

Thus, whenever a party withholds discoverable material based upon a claim of privilege or other protection, that party shall state such privilege or protection expressly, and describe the nature of the information not produced or disclosed in a manner that, without revealing information that is self-privileged or protected, will enable other parties and this Authority to assess the applicability of the privilege protection.

December 23, 2010 Order at 19.

TAWC responded to the Order by filing a privilege log, a copy of which is attached hereto as Exhibit A. TAWC's privilege log consists of a lengthy table identifying 96 documents or sets of documents otherwise discoverable that TAWC has withheld based upon claims of attorney-client privilege or work product protection. TAWC's privilege log also contains a table identifying a total of 88 persons named in the privilege log, providing for each their title and

entity affiliation. Of these 88 persons, only five are identified as attorneys.¹ A total of 77 persons identified are affiliated with organizations other than Tennessee American Water Company. Sixty-seven (67) are affiliated with American Water Works Service Company, and the remainder are affiliated with other companies and a consulting firm, "Herron Consulting." Of the 96 documents or sets of documents identified in TAWC's privilege log, 54 do not list among the author or recipients any attorney.

The privilege log does not as to *any* of the withheld documents "describe the nature of the information not produced or disclosed in a manner that, without revealing information that is self-privileged or protected, will enable other parties and this Authority to assess the applicability of the privilege protection" as TAWC was ordered to do. December 23, 2010 Order at 19. Typical of the entire description TAWC has provided for 95 of the 96 documents is a statement such as "[i]nternal e-mail chain regarding management audit report." Of the 96 documents or sets of documents that have been withheld upon claims of privilege or product protection, 95 are communications relating to the management audit.

ARGUMENT

Tennessee law favors making all relevant evidence available to the trier of fact except where protected by a specific privilege provided by the constitution, statutes, common law, and rules promulgated by the Tennessee Supreme Court. *Boyd v. Comdata Network, Inc.*, 88 S.W.3d 203, 212 (Tenn. Ct. App. 2002). There is no dispute that the documents listed on TAWC's privilege log are discoverable under Tenn. R. Civ. P. 26. Once a *prima facie* showing of discoverability has been established, "the burden shifts to the party opposing discovery to show that the materials were either privileged or work product protected by Tenn. R. Civ. P. 26.02(3)."

¹ The five attorneys are: Robert Brabston, Internal Legal Counsel for NJAWC; Paul Foran, Vice President and Counsel, Regulatory Programs, AWWSC; Steve Robbins, General Counsel, AWWSC; John Romeo, Counsel,

State ex rel. Flowers v. Tennessee Trucking Ass'n Self Ins. Group, 209 S.W.3d 602, 617 (Tenn. Ct. App. 2005), *perm. app. den'd* May 8, 2006. The materials must be produced "if the party seeking the limitations cannot produce specific facts to support its request." *Flowers, supra*, at 618. "[M]ere conclusory statements" are not sufficient to justify application of the attorney-client privilege or work product protection. *Id.*

The applicability of the attorney-client privilege cannot be established simply by the fact that an attorney was a recipient or the author of a communication. It is not enough to assert simply that an attorney was involved in a communication. As to communications *from* a client to an attorney, TAWC has the burden to show that the communication was made in confidence for the purpose of seeking legal advice, as opposed to other advice such as advice dealing with economic or business matters. "[T]he purpose of the privilege is to shelter the confidences a client shares with his or her attorney when seeking legal advice" *Bryan v. State*, 848 S.W.2d 72, 79 (Tenn. Ct. App.), *perm. app. den'd*. See also *Edwards v. Whitaker*, 868 F. Supp 226, 228 (M.D. Tenn. 1994) ("the [attorney-client] privilege only applies if the lawyer is providing legal advice or services, and it will not protect disclosure of non-legal communications where the attorney acts as a business or economic advisor.").

Moreover, as to communications *to* a client from an attorney, TAWC has the burden to show that the communication would directly or indirectly reveal the substance of a confidential communication from a client. *Bryan, supra*, 848 S.W.2d at 80. As the *Bryan* Court recognized,

[T]he privilege is not absolute nor does it encompass all communications between the client and the attorney. For the privilege to apply, the client has the burden of showing that the communications were made in the confidence of the attorney-client relationship. That is, not only must the communication have occurred pursuant to the attorney-client relationship, it must have been made with the intention of confidentiality. An attorney may be required to testify about communications and transactions "that have no element of confidence in them."

For example, the presence of a third party at the time of the communication or the client's expectation that the substance of the communication is to be disclosed to others does not bring the privilege into play.

Bryan, supra, 848 S.W.2d at 80 (citations omitted).

The Court in *Bryan, supra*, catalogued a variety of circumstances in which the attorney client privilege would not apply to communications between a client and his attorney, including communications from an attorney containing advice solely based upon public information, rather than confidential information, or communications relating to the process of a hearing or other proceeding. *Id.*

Consistent with these well-established principles, the December 23, 2010 Order granted the City's motion "to compel detailed information concerning particular documents, information, and materials, that TAWC has withheld from discovery" The Order required TAWC to "describe the nature of the information not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties and this Authority to assess the applicability of the privilege protection." *Id.* at 19. In submitting its privilege log, TAWC ignored the Order's clear requirements and provided nothing that would "enable other parties and this Authority to assess the applicability of the privilege protection."

Ninety-five (95) of the 96 listed documents and document sets simply describe them as documents or emails regarding the management audit. There is absolutely nothing contained in these descriptions that can enable anyone to assess the applicability of the claimed attorney-client privilege or work product protection. Indeed, although the descriptions of documents in TAWC's privilege log do not provide additional information about the contents of these documents, the City urges the Authority to be mindful that these documents appear to have a

dominant business or commercial purpose unrelated in substantial part to the seeking or obtaining of legal advice or otherwise lack any confidential communications.

Mere recitation that a communication was sent to or received from an attorney does not meet TAWC's burden. *E.g. Bryan v. State*, 848 S.W.2d 72, 79 (Tenn. Ct. App.), *perm. app. den'd*. Fifty-four (54) of the 96 documents and document sets included no attorney as a recipient or author. As to the 42 items that included an attorney as a recipient or author of some portion of the document set, TAWC provided absolutely no description that would "enable other parties and this Authority to assess the applicability of the privilege protection." To the contrary, to the extent that anything can be divined, it is that the role of the attorney was likely only that of an economic or business advisor, business agent, or similar role. Nothing in TAWC's description otherwise shows that the information communicated was confidential or intended to be as such.²

Because TAWC has disregarded the December 23, 2010 Order and has wholly failed to carry its burden of establishing that any of the materials relating to the management audit, the Authority should require that all 96 documents and sets of documents listed on TAWC's privilege log that reference the management audit be immediately provided to the City.³

² Indeed, TAWC's broad, unsubstantiated claims of privilege and work product protection together with the motion recently filed by TAWC in Docket No. 09-00086, makes obvious TAWC's design to foreclose meaningful consideration by this Authority of the Management Audit.

³ Items 2 through 96. The 1st set of documents listed on the privilege log is described as "Numerous written communications between TAWC representatives and Bass, Berry & Sims". The City does not by this Motion seek production of the communications described in item 1, relying upon the representation of TAWC's counsel that those communications are privileged or protected by the work product protection. Of course, the City reserves the right to address the applicability of the protections if facts later were to show that one or more of the withheld communications was not privileged or subject to the work product protection.

Respectfully Submitted,

OFFICE OF THE CITY ATTORNEY

By: Michael A. McMahan w/perm. Tom Greenholtz

Michael A. McMahan (BPR No. 000810)

Valerie L. Malueg (BPR No. 023763)

Special Counsel

100 East 11th Street, Suite 200

Chattanooga, TN 37402

(423) 643-8225

Email: mcmahan@chattanooga.gov

Email: malueg@mail.chattanooga.gov

CHAMBLISS, BAHNER & STOPHEL, P.C.

By: Tom Greenholtz

Frederick L. Hitchcock (BPR No. 005960)

Harold L. North, Jr. (BPR No. 007022)

Tom Greenholtz (BPR No. 020105)

1000 Tallan Building

Two Union Square

Chattanooga, Tennessee 37402

(423) 757-0222 – Telephone

(423) 508-1222 – Facsimile

rhitchcock@cbslawfirm.com

hnorth@cbslawfirm.com

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing pleading was emailed and was served upon the following person(s) via ☐ hand delivery or ☒ United States first class mail with proper postage applied thereon to ensure prompt delivery:

Mr. J. Richard Collier
General Counsel
State of Tennessee
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Mr. Vance L. Broemel
Mr. T. Jay Warner
Mr. Ryan L. McGehee
Ms. Mary L. White
Office of the Attorney General
Consumer Advocate and Protection Division
Cordell Hull Building, Ground Floor
425 5th Avenue North
Nashville, TN 37243

Mr. R. Dale Grimes
Bass, Berry & Sims PLC
150 Third Avenue South, Suite 2800
Nashville, TN 37201

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

Mr. Henry M. Walker
Boult, Cummings, Conners & Berry PLC
1600 Division Street, Suite 700
Nashville, Tennessee 37203

Mr. Mark Brooks
521 Central Avenue
Nashville, TN 37211-2226

Mr. Scott H. Strauss
Ms. Katharine M. Mapes
Spiegel & McDiarmid LLP
1333 New Hampshire Avenue, NW
Washington, DC 20036

Mr. Donald L. Scholes
Branstetter, Stranch & Jennings, PLLC
227 Second Avenue, North, Fourth Floor
Nashville, TN 37201

This 7th day of January, 2011.



Tom Greenholtz

TAWC Privilege Log Document
December 30, 2010

No.	Author	Recipients	Date	Description	Grounds for Withholding
1.	Various	Various	Various	Numerous written communications between TAWC representatives and Bass, Berry & Sims.	ATTORNEY CLIENT PRIVILEGE / WORK PRODUCT
2.	M. Miller	A.W. Turner, J. Romeo, J. Watson, P. Foran, et al.	1/27/10	Document regarding management audit	ATTORNEY CLIENT PRIVILEGE / WORK PRODUCT
3.	M. Miller	D. Bickerton	5/6/10	Internal e-mail and related document regarding management audit information request	WORK PRODUCT
4.	M. Miller D. Degillio M. Miller M. Miller	D. Degillio M. Miller D. Degillio J. Watson, P. Foran, T. McKittrick, M. Maloney, R. Kowalski, D. Ransom, L. Crane & D. Weber	7/9/10 7/9/10 7/8/10 7/7/10	Internal e-mail chain discussing management audit report	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE – 7/7/10 e-mail from M. Miller to J. Watson, P. Foran, et. al.
5.	M. Miller D. Degillio M. Miller	D. Degillio M. Miller J. Watson, T. McKittrick, D. Weber, P. Foran, & D. Degillio	6/16/10 6/16/10 6/15/10	Internal e-mail chain discussing management audit report	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE – 6/15/10 e-mail from M. Miller to P. Foran, et. al.
6.	M. Miller	D. Degillio, P. Foran, T. McKittrick & R. Brabston	3/16/10	Internal e-mail and attachment regarding management audit document requests	ATTORNEY CLIENT PRIVILEGE / WORK PRODUCT

The Privilege Log is provided pursuant to Order on First Round of Discovery Disputes Dated December 23, 2010

No.	Author	Recipients	Date	Description	Grounds for Withholding
7.	M. Miller	D. Degillio	3/8/10	Internal e-mail regarding management audit document requests	WORK PRODUCT
8.	M. Miller	D. Degillio & A. Pearlman	2/28/10	Internal e-mails regarding interviews requested by Schumaker and Company for management audit	WORK PRODUCT
	M. Miller	P. Foran & T. McKitrick	1/26/10		ATTORNEY CLIENT PRIVILEGE – 1/26/10 e-mail from M. Miller to P. Foran & T. McKitrick
9.	M. Miller	D. Degillio, A. Pearlman & D. Brock	2/28/10	Internal e-mail and attachment regarding discussing management audit interviews	WORK PRODUCT
	M. Miller	C. Woodward, D. Weber, E. Keiffer, E. Wolf, J. Watson, L. Crane, M. Chesla, M. Maloney, M. O'Donnell, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick, W. Doherty & M. Joyner	1/28/10		ATTORNEY CLIENT PRIVILEGE - 1/28/10 e-mail from M. Miller to P. Foran et. al.
10.	M. Miller	D. Degillio, A. Pearlman	2/25/10	Internal e-mail chain discussing management audit interviews	WORK PRODUCT
	D. Degillio	M. Miller, A. Pearlman	2/25/10		ATTORNEY CLIENT PRIVILEGE – for 2/25/10 e-mail from M. Miller to P. Foran, et. al.
	M. Miller	A. Pearlman, D. Degillio	2/25/10		
	A. Pearlman	M. Miller, D. Degillio	2/25/10		
	M. Miller	D. Degillio, D. Brock, A. Pearlman, P. Foran, T. McKitrick, R. Brabston & L. Brooks	2/25/10		

No.	Author	Recipients	Date	Description	Grounds for Withholding
11.	M. Miller	D. Degillio, A. Pearlman, D. Brock	2/25/10	Internal e-mail chain discussing management audit interviews	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE - 2/25/10 e-mail from M. Miller to P. Foran, et al.
	D. Degillio	M. Miller, D. Brock, A. Pearlman	2/25/10		
	M. Miller	A. Pearlman, D. Degillio	2/25/10		
	A. Pearlman	M. Miller, D. Degillio	2/25/10		
	M. Miller	D. Degillio, D. Brock, A. Pearlman, P. Foran, T. McKittrick, R. Brabston, L. Brooks	2/25/10		
12.	M. Miller [sent by L. Brooks]	E. Wolf, P. Foran, A. Alfano, C. Waller-Goree	2/9/10	Document regarding management audit interviews	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
13.	M. Miller	E. Wolf, P. Foran, L. Crane, R. Kowalski, M. Miller, L. Brooks	1/22/10	Internal e-mail regarding management audit interviews	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
14.	M. Miller	E. Wolf, M. Maloney, P. Foran, T. McKittrick	1/20/10	Internal e-mail chain discussing management audit interviews.	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
	E. Wolf	M. Miller, P. Foran, M. Maloney	1/20/10		
	M. Miller	E. Wolf, P. Foran, L. Crane, M. Chesla, E. Keiffer, M. Maloney, R. Kowalski, M. O'Donnell, S. Cole, N. Lawrence, A. Mazzella, T. McKittrick, D. Weber, J. Watson, D. Degillio, N. Rowe	1/19/10		
15.	M. Miller	L. Crane	7/8/10	Internal e-mail regarding management audit interviews	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
16.	M. Miller	D. Weber, D. Schumaker, J. Watson, P. Foran, R. Rosenkotter, T. McKitrick	7/27/10	Document regarding management audit	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
17.	M. Miller	L. Crane	2/9/10	Document regarding management audit interviews	WORK PRODUCT
18.	M. Miller	M. Maloney	1/28/10	Internal e-mail chain discussing management audit	WORK PRODUCT
	M. Maloney	M. Miller	1/28/10		
	M. Miller	M. Maloney	1/27/10		
	T. McKitrick	M. Miller	1/14/10		
19.	M. Miller	M. Maloney, P. Foran	1/27/10	Document regarding management audit interviews	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
20.	M. Miller	M. Maloney	2/9/10	Document regarding management audit interviews	WORK PRODUCT
21.	M. Miller	M. O'Donnell	1/29/10	Internal e-mail and accompanying document regarding management audit interviews	WORK PRODUCT
	M. O'Donnell	M. Miller, R. Kowalski, G. McDevitt	2/9/10		
22.	M. Miller	P. Foran, T. McKitrick, D. Weber, R. Kowalski	8/25/10	Internal e-mail discussing management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
23.	M. Miller	P. Foran, T. McKitrick, D. Weber, Doneen S.	8/2/10	Internal e-mail discussing management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
24.	M. Miller	P. Foran	7/28/10	Internal e-mail discussing management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
	P. Foran	M. Miller	7/28/10		
	M. Miller	P. Foran	7/28/10		
	P. Foran	M. Miller	7/28/10		
25.	M. Miller	P. Foran, T. McKitrick	7/22/10	Internal e-mail regarding management audit report	ATTORNEY CLIENT

No.	Author	Recipients	Date	Description	Grounds for Withholding
				and meeting with Schumaker & Company	PRIVILEGE/WORK PRODUCT
26.	M. Miller	P. Foran, T. McKitrick	1/28/10	Internal e-mail and attachments regarding management audit	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
27.	M. Miller	P. Foran, T. McKitrick	1/26/10	Internal e-mail and attachments regarding management audit interviews	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
28.	M. Miller	P. Foran, J. Watson	1/21/10	Internal e-mail chain discussing management audit interviews by Schumaker & Company	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
	P. Foran	M. Miller, J. Watson	1/20/10		
	P. Foran	E. Wolfe, A. Alfano, A. Mazzella, D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, L. Stuhltrager, M. Chesla, M. Maloney, M. O'Donnell, M. Miller, N. Rowe, N. Lawrence, R. Kowalski, S. Cole, T. McKitrick	1/20/10		
	E. Wolf	P. Foran, A. Alfano, A. Mazzella, , D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, L. Stuhltrager, M. Chesla, M. Maloney, M. O'Donnell, M. Miller, N. Rowe, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick	1/20/10		
	P. Foran	M. Miller, A. Mazzella, , D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, M. Chesla, M. Maloney, M. O'Donnell, N. Rowe, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick, A. Alfano, L. Stuhltrager	1/20/10		
	M. Miller	E. Wolfe, P. Foran, L. Crane, M. Chesla, E. Keiffer, M. Maloney, R. Kowalski, M. O'Donnell, S. Cole, N. Lawrence, A. Mazzella, T. McKitrick, D. Weber, J. Watson, D. Degillio, N. Rowe	1/19/10		

No.	Author	Recipients	Date	Description	Grounds for Withholding
29.	M. Miller	R. Kowalski	7/19/10	Internal e-mail chain regarding management audit	WORK PRODUCT
	R. Kowalski	M. Miller	7/19/10		
	M. Miller	R. Kowalski	7/19/10		
30.	M. Miller	D. Weber, D. Hobbs, J. Watson, L. Crane, M. Maloney, P. Foran, R. Kowalski, T. McKittrick, E. Wolf, J. Young, K. Walker, L. Monica, S. Burke, W. Lynch	7/26/10	Document regarding management audit	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
31.	M. Miller	R. Kowalski	7/13/10	Internal e-mail chain discussing management audit	WORK PRODUCT
	R. Kowalski	M. Miller	7/12/10		
	R. Kowalski	M. Miller	7/9/10		
32.	M. Miller	R. Kowalski	7/7/10	Internal e-mail chain discussing management audit report	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE - 7/7/10 e-mail from M. Miller to J. Watson, P. Foran, et al.
	R. Kowalski	M. Miller	7/7/10		
	M. Miller	J. Watson, P. Foran, T. McKittrick, M. Maloney, R. Kowalski, D. Ransom, L. Crane & D. Weber	7/7/10		
33.	M. Miller	R. Kowalski, D. Amos	4/5/10	Internal e-mail chain discussing management audit interviews.	WORK PRODUCT
	R. Kowalski	M. Miller	4/5/10		
	D. Amos	R. Kowalski	4/5/10		
	M. Miller	J. Watson, R. Bartley, L. Morrison, M. Zinnanti, S. Holmes, P. Cummings, M. Bishop, R. Schfeifer, K. Rogers, R. O'Neal, D. Amos, S. Snowden, L. Brooks, G. Scealf	4/1/10		

No.	Author	Recipients	Date	Description	Grounds for Withholding
34.	M. Miller	R. Kowalski	3/29/10	Document regarding management audit document requests	WORK PRODUCT
35.	M. Miller	R. Kowalski, L. Brooks	3/26/10	Internal e-mail chain regarding management audit document requests	WORK PRODUCT
	R. Kowalski	M. Miller, L. Brooks	3/26/10		ATTORNEY CLIENT PRIVILEGE – 3/18/10 email from M. Miller to P. Foran et. al.
	R. Kowalski	M. Miller	3/23/10		
	M. Miller	R. Kowalski, P. Foran, T. McKittrick, R. Brabston	3/18/10		
36.	M. Miller	R. Kowalski, P. Foran, T. McKittrick, R. Brabston	3/18/10	Internal e-mail and attachment regarding management audit.	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
37.	M. Miller	R. Kowalski	2/12/10	Internal e-mail and related document regarding management audit document requests	WORK PRODUCT
38.	M. Miller	R. Kowalski, L. Brooks	2/12/10	Internal e-mail chain and attachments discussing management audit document requests	WORK PRODUCT
	R. Kowalski	L. Brooks, M. Miller	2/12/10		
39.	M. Miller	R. Kowalski	1/12/10	Internal e-mail chain discussing management audit document requests	WORK PRODUCT
	R. Kowalski	M. Miller	1/12/10		
40.	M. Miller	R. Kowalski	1/8/10	Internal e-mail and attachments regarding management audit data requests	WORK PRODUCT
41.	R. Kowalski	M. Miller	8/27/10	Internal e-mail discussing management audit report	WORK PRODUCT
	M. Miller	P. Foran, T. McKittrick, D. Weber, R. Kowalski	8/25/10		ATTORNEY CLIENT PRIVILEGE – 8/25/10 e-mail from M. Miller to P. Foran et. al.

No.	Author	Recipients	Date	Description	Grounds for Withholding
42.	M. Maloney	M. Miller, D. Weber, D. Degillio, D. Hobbs, E. Wolf	8/4/10	Internal e-mail chain and attachment regarding management audit report	WORK PRODUCT
	M. Miller	E. Wolf, W. Lynch, J. Young, N. Rowe, D. Degillio, P. Foran, L. Crane, R. Kowalski, J. Watson, M. Maloney, D. Hobbs, D. Weber, T. McKitrick	8/4/10		ATTORNEY CLIENT PRIVILEGE – e-mail from M. Miller to P. Foran et. al.
43.	L. Crane	M. Miller, E. Wolf, M. Maloney, P. Foran, R. Kowalski	8/4/10	Internal e-mail chain and attachment regarding management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
	M. Miller	E. Wolf, W. Lynch, J. Young, N. Rowe, D. Degillio, P. Foran, L. Crane, R. Kowalski, J. Watson, M. Maloney, D. Hobbs, D. Weber, T. McKitrick	8/4/10		
44.	R. Kowalski	M. Miller	8/4/10	Internal e-mail chain regarding management audit report	WORK PRODUCT
	R. Kowalski	M. Miller	7/28/10		
45.	R. Kowalski	M. Miller, D. Weber, D. Hobbs, L. Crane, P. Foran	8/3/10	Internal e-mail chain regarding management audit report	WORK PRODUCT
	M. Miller	P. Foran, T. McKitrick, D. Weber, D. Hobbs, R. Kowalski, L. Crane	8/2/10		ATTORNEY CLIENT PRIVILEGE - 8/2/10 e-mail from M. Miller
46.	T. McKitrick	M. Miller	8/3/10	Internal e-mail chain and attachment regarding management audit report and related documents	WORK PRODUCT
47.	M. Maloney	G. Conroy, M. Miller, D. Weber	8/2/10	Internal e-mail chain discussing management audit document requests	WORK PRODUCT
	G. Conroy	M. Maloney, D. Weber	8/2/10		

No	Author	Recipients	Date	Description	Grounds for Withholding
	D. Weber	G. Conroy	8/2/10		
	M. Miller	D. Weber, T. McKittrick	7/31/10		
48.	M. Maloney	D. Weber	7/23/10	Internal e-mail chain discussing management audit document requests	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE-for 7/6/10 email from T. McKittrick to M. Miller, P. Foran and S. Robbins
	M. Maloney	G. Conroy, D. Weber, M. Miller	8/2/10		
	G. Conroy	M. Miller, D. Weber, M. Maloney	8/2/10		
	D. Weber	G. Conroy	8/2/10		
	G. Conroy	M. Miller, D. Weber, M. Maloney	8/2/10		
	D. Weber	G. Conroy	8/2/10		
	M. Maloney	D. Weber	7/23/10		
	T. McKittrick	M. Miller	8/2/10		
	T. McKittrick	M. Miller; P. Foran, S. Robbins	7/6/10		
	Christi Woodward	T. McKittrick	7/6/10		
49.	T. McKittrick	M. Miller, P. Foran	8/2/10	Internal e-mail discussing management audit document requests	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
50.	T. McKittrick	M. Miller	8/2/10	Internal e-mail chain discussing management audit document requests	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE - 7/6/10 email from T. McKittrick to M. Miller, P. Foran and S. Robbins
	T. McKittrick	M. Miller; P. Foran; S. Robbins	7/6/10		
	C. Woodward	T. McKittrick	7/6/10		
51.	T. McKittrick	M. Miller	8/2/10	Internal e-mail chain discussing management audit	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
	T. McKittrick	M. Miller; P. Foran; S. Robbins	7/7/10	document requests	ATTORNEY CLIENT PRIVILEGE – 7/7/10 email from T. McKittrick to M. Miller, P. Foran and S. Robbins
	D. Graham	T. McKittrick	7/7/10		
	R. Cole	M. G. Money, D. Graham	7/2/10		
52.	L. Crane	P. Foran, T. McKittrick, M. Miller, M. Maloney, D. Graff, A. Konidaris, Julie P.	7/22/10	Internal e-mail discussing management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
53.	R. Kowalski	M. Miller	7/13/10	Internal e-mail chain and attachment regarding management audit report	WORK PRODUCT
	R. Kowalski	M. Miller, L. Crane	7/13/10		
54.	D. Weber	M. Miller	7/9/10	Internal e-mail and attachment regarding management audit report	WORK PRODUCT
55.	T. McKittrick	M. Miller; P. Foran; S. Robbins	7/6/10	Internal e-mail regarding management audit document requests	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
56.	T. McKittrick	M. Miller, P. Foran, S. Robbins	7/6/10	Internal e-mail regarding management audit document requests	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
57.	T. McKittrick	M. Miller	6/29/10	Internal e-mail and attachment regarding management audit document requests	WORK PRODUCT
58.	T. McKittrick	M. Miller	2/11/10	Internal e-mail and attachment regarding management audit document requests	WORK PRODUCT
59.	J. Watson	M. Miller, P. Foran	1/21/10	Internal e-mail chain discussing management audit interviews by Schumaker & Company	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
	M. Miller	P. Foran, J. Watson	1/21/10		
	P. Foran	M. Miller, J. Watson	1/20/10		

No.	Author	Recipients	Date	Description	Grounds for Withholding
	P. Foran	E. Wolf, A. Alfano, A. Mazzella, D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, L. Stuhltrager, M. Chesla, M. Maloney, M. O'Donnell, M. Miller, N. Rowe, N. Lawrence, R. Kowalski, S. Cole, T. McKitrick	1/20/10		
	E. Wolf	P. Foran, A. Alfano, A. Mazzella, D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, L. Stuhltrager, M. Chesla, M. Maloney, M. O'Donnell, M. Miller, N. Rowe, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick	1/20/10		
	P. Foran	M. Miller, A. Mazzella, D. Weber, D. Degillio, E. Keiffer, E. Wolf, J. Watson, L. Crane, M. Chesla, M. Maloney, M. O'Donnell, N. Rowe, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick, A. Alfano, L. Stuhltrager	1/20/10		
	M. Miller	E. Wolf, P. Foran, A. Alfano, A. Mazzella, D. Weber, D. Degillio, E. Keiffer, J. Watson, L. Crane, L. Stuhltrager, M. Chesla, M. Maloney, M. O'Donnell, M. Miller, N. Lawrence, P. Foran, R. Kowalski, S. Cole, T. McKitrick, J. Watson, N. Rowe	1/19/10		
60.	T. McKitrick	M. Miller	1/19/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	J. Bozman	T. McKitrick	1/19/10		
	J. Bozman	M. Miller, S. Miller	1/18/10		
61.	R. Kowalski	M. Miller	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
	M. Maloney	R. Kowalski	1/15/10		
62.	R. Kowalski	M. Miller, M. O'Donnell	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE – 1/15/10 email from A.W. Turner to M. Miller and L. Brooks
	M. O'Donnell	R. Kowalski	1/15/10		
	A.W. Turner	M. Miller, L. Brooks	1/15/10		
63.	R. Kowalski	M. Miller, M. O'Donnell	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	M. O'Donnell	R. Kowalski	1/14/10		
64.	R. Kowalski	M. Miller, M. O'Donnell	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	M. O'Donnell	R. Kowalski	1/14/10		
65.	R. Kowalski	M. Miller, M. O'Donnell	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	M. O'Donnell	R. Kowalski	1/14/10		
66.	R. Thornton	M. Miller, G. Scealf	1/15/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	R. Thornton	D. Braxton	1/24/08		
	G. Scealf	M. Miller, R. Thornton	1/15/10		
67.	T. McKittrick	M. Miller, L. Brooks	1/15/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
68.	Jim Bozman	M. Miller, S. Miller	1/14/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
69.	G. Scealf	M. Miller, L. Brooks	1/14/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
70.	T. McKittrick Karen Cooper	M. Miller, L. Brooks T. McKittrick	1/14/10 1/14/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
71.	T. McKittrick	M. Miller, L. Brooks	1/13/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
72.	D. Weber	M. Miller, L. Brooks, S. Miller	1/13/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
73.	T. McKittrick	M. Miller	1/12/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
74.	T. McKittrick L. Brooks	L. Brooks, M. Miller T. McKittrick, D. Weber, M. Miller	1/11/10 1/6/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
75.	D. Degillio	T. Spitz, B. Barnes, G. VerDouw, M. G. Money	1/11/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
76.	R. O'Neal M. Schwarzell	M. Miller, L. Brooks T. Spitz, B. Barnes, G. VerDouw, M. G. Money, E. Farmer, J. Casillo, C. Vanhome, K. Bridges, N. Strickland, M. Miller, S. Miller, J. Ware, R. Shiltz, P. Thakadiyil, L. Keatherley, D. Degillio, R. O'Neal, S. Ireland, S. Burford, L. Brooks, D. Topf, M. Schwarzell, K. Rogers	1/8/10 12/11/09	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
77.	R. O'Neal M. Schwarzell	M. Miller, L. Brooks D. Ray, T. Spitz, B. Barnes, G. VerDouw, M. G. Money, E. Farmer, J. Casillo, C. Vanhome, K. Bridges, N. Strickland, M. Miller, S. Miller, J. Ware, R. Shiltz, P. Thakadiyil, L.	1/8/10 11/5/09	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT

No	Author	Recipients	Date	Description	Grounds for Withholding
		Keatherley, D. Degillio, R. O'Neal, S. Ireland, S. Burford, L. Brooks, D. Topf, M. Schwarzell			
78.	R. O'Neal N. Cataldo	M. Miller, L. Brooks R. O'Neal	1/8/10 1/8/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
79.	T. McKitrick	M. Miller	10/1/09	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
80.	L. O'Malley	M. Miller, S. Miller, L. Brooks, B. D'Antonio	6/8/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
81.	L. Magee	M. Miller, A.W. Turner	3/17/10	Internal e-mail and attachment(s) discussing management document requests	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
82.	M. Maloney	M. Miller, T. McKitrick	3/18/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
83.	R. Kowalski	M. Miller, L. Brooks	5/14/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
84.	R. Kowalski	M. Miller, L. Brooks, M. O'Donnell	5/6/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
85.	R. Kowalski	M. Miller, L. Brooks, M. O'Donnell	5/6/10	Internal e-mail and attachment(s) discussing management document requests	WORK PRODUCT
86.	R. Kowalski J. Vitale	M. Miller, M. O'Donnell R. Kowalski, M. O'Donnell	4/2/10 4/2/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
87.	T. McKittrick	M. Miller	5/21/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	L. Crane	E. Wolf, P. Foran, T. McKittrick	5/21/10		ATTORNEY CLIENT PRIVILEGE – 5/21/10 email from L. Crane to E. Wolf, P. Foran and T. McKittrick & 5/17/10 email from T. McKittrick to L. Crane and P. Foran
	T. McKittrick	L. Crane, P. Foran	5/17/10		
	L. Brooks	T. McKittrick, M. Miller	5/16/10		
88.	T. McKittrick	M. Miller, M. Maloney	2/17/10	Internal e-mail chain and attachment(s) regarding management audit document	WORK PRODUCT
	S. Swann	T. McKittrick, R. Panzano	2/17/10		
89.	P. Foran	M. Miller, T. McKittrick	7/16/10	Internal e-mail and attachment(s) regarding management audit report	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
90.	P. Foran	M. Miller, T. McKittrick	7/28/10	Internal e-mail and attachment(s) discussing management document requests	ATTORNEY CLIENT PRIVILEGE/WORK PRODUCT
91.	C. Waller-Goree	M. Miller	1/21/10	Internal e-mail chain discussing management audit interviews.	WORK PRODUCT ATTORNEY CLIENT PRIVILEGE – 1/21/10 e-mail from M. Miller to P. Foran, et. al; 1/20/10 e-mail from C. Waller-Goree to M. Miller, P. Foran and A. Alfano; and 1/19/10 e-mail from M. Miller to P. Foran, et. al.
	M. Miller	C. Waller-Goree, E. Wolf, P. Foran, L. Brooks	1/21/10		
	C. Waller-Goree	M. Miller	1/20/10		
	C. Waller-Goree	M. Miller, P. Foran, A. Alfano	1/20/10		
	E. Wolf	C. Waller-Goree	1/20/10		
	M. Miller	E. Wolf, P. Foran, L. Crane, M. Chesla, E. Keiffer, M. Maloney, R. Kowalski, M. O'Donnell, S. Cole, N. Lawrence, A. Mazzella, T. McKittrick, D. Weber, J. Watson, D. Degillio, N. Rowe	1/19/10		
92.	E. Keiffer	M. Chesla, V. Salvia, M. Miller	1/20/10	Internal e-mail discussing management audit	WORK PRODUCT

No.	Author	Recipients	Date	Description	Grounds for Withholding
				interviews.	
93.	L. Crane	M. Miller	1/20/10	Internal e-mail regarding management audit interviews	WORK PRODUCT
94.	M. Chesla	M. Miller, E. Keiffer	1/20/10	Internal e-mail regarding management audit interviews	WORK PRODUCT
95.	N. Lawrence	M. Miller	1/20/10	Internal e-mail chain discussing management audit interviews	WORK PRODUCT
	M. Miller	N. Lawrence, A. Mazzella	1/20/10		
	N. Lawrence	M. Miller, A. Mazzella	1/20/10		
96.	R. Kowalski	L. Brooks, M. Miller, G. McDevitt	1/21/10	Internal e-mail chain discussing management audit interviews	WORK PRODUCT
	L. Brooks	L. Crane, M. Chesla, E. Keiffer, M. Maloney, R. Kowalski, M. O'Donnell, S. Cole, N. Lawrence, C. Woodward, T. McKittrick, D. Weber, M. Miller	1/21/10		

Name Legend for Individuals Referenced in Privilege Log

Author	Title	Entity Affiliation
Alfano, Ann	Administrative Assistant	AWWSC
Amos, Danny	Sr. Manager, Compliance and Control – Eastern Division	AWWSC
Barnes, Brenda	Administrative Assistant	AWWSC
Bartley, Rachel	Commercial Supervisor	TAWC
Bickerton, Dan	Director of Business Development, Eastern Division	AWWSC
Bishop, Monty	Network Superintendant	TAWC
Bozman, Jim	Senior Analyst, Rates	AWWSC
Brabston, Robert	Internal Legal Counsel	NJAWC
Braxton, Donna	Manager, HR Eastern Division	AWWSC
Bridges, Kirsten	Manager, Finance	WVAWC
Brock, Douglas	Director of Field Resource Coordination Center	AWWSC
Brooks, Lisa	Senior Administrative Assistant	AWWSC
Burford, Samuel	Rate Analyst	AWWSC
Burke, Sean	Vice President, HR	AWWSC
Casillo, John	Manager, Finance	NYAWC

Author	Title	Entity Affiliation
Cataldo, Nicole	Senior Analyst	AWWSC
Chesla, Mark	Vice President & Controller	AWWSC
Cole, Rachel	Director of Operations	KAWC
Cole, Susan	Director of Accounting	AWWSC
Conroy, George	Senior Financial Analyst – Rates & Regulations	AWWSC
Cooper, Karen	Call Handling Manager	AWWSC
Crane, Leonard	Vice President, Internal Audits	AWWSC
Cummings, Pam	Operations Supervisor	TAWC
D'Antonio, Basil	Manager of Rates	AWWSC
Degillio, Deborah	Vice President – Finance – Eastern Division	AWWSC
Doherty, William	Consultant	Huron Consulting
Farner, Eric	Senior Financial Analyst	AWWSC
Foran, Paul	Vice President and Counsel, Regulatory Programs	AWWSC
Graff, David	Manager of Internal Audit	AWWSC
Graham, Dale	Cash Management Specialist	AWWSC
Hobbs, Doneen S.	Vice President of Shared Services Center	AWWSC

Author	Title	Entity Affiliation
Holmes, Susan	Manager of Water Quality	TAWC
Ireland, Sean	Rates Analyst	AWWSC
Joyner, Michael	Consultant	Huron Consulting
Keathley, Lew	Rates Analyst	AWWSC
Keiffer, Edward	Vice President, Accounting	AWWSC
Konidaris, Anastosios	Senior Internal Auditor	AWWSC
Kowalski, Rochelle	Vice President, Compliance	AWWSC
Lawrence, Nicole	Manager, Accounting	AWWSC
Lynch, Walter	Senior Vice President – Regulated Operations	AWWSC
Magee, Louise	Paralegal	AWWSC
Maloney, Michael	Director of Accounting	AWWSC
Mazzella, Armand	Director of Accounting	AWWSC
McDevitt, Gail	Executive Assistant	AWWSC
McKittrick, Tom	Senior Manager, Rates	AWWSC
Miller, Mike	Director of Rates – Eastern Division	AWWSC
Miller, Sheila	Manager of Rates and Regulation	AWWSC

Author	Title	Entity Affiliation
Money, Mary Gina	Manager of Finance	KAWC
Monica, Laura	Senior Vice President – External Affairs & Communications	AWWSC
Morrison, Leah	Operations Supervisor	TAWC
O'Donnell, Michael	Manager of Compliance	AWWSC
O'Malley, Lori	Senior Analyst	AWWSC
O'Neal, Richard	Senior Analyst - Compliance	AWWSC
Panzano, Rosemary	Senior HR Generalist	AWWSC
Pearlman, Adam	Finance Manager	AWWSC
Ransom, Darwin	Director of Taxes	AWWSC
Ray, Darren	Manager of Finance	AWWSC
Robbins, Steve	General Counsel	AWWSC
Rogers, Kevin	Manager of Finance	TAWC
Romeo, John	Counsel	AWWSC
Rowe, Nick	Senior Vice President – Eastern Division	AWWSC
Salvia, Victoria	Executive Assistant	AWWSC
Scealf, Ginny	Executive Assistant	TAWC
Schfeifer, Ron	Network Manager	TAWC

Author	Title	Entity Affiliation
Schwarzell, Melissa	Executive Assistant	AWWSC
Shiltz, Robert	Rates Analyst	AWWSC
Snowden, Steve	Manager – Business Development	AWWSC
Spitz, Thomas	Director of Finance	AWWSC
Steiger, Julie P.	Executive Assistant	AWWSC
Strickland, Nancy	Senior Analyst	WVAWC
Stuhltrager, Lillian	Administrative Assistant	AWWSC
Swann, Shelia	Learning & Development Coordinator	AWWSC
Thakadiyil, Peter	Senior Analyst	AWWSC
Thornton, Rebecca	Senior HR Generalist	TAWC
Topf, Daniel	Manager of Finance	VAWC
Turner, A.W.	Southeast Regional Associate Counsel	AWWSC
Vanhorne, Charles	Senior Manager – Finance	OAWC
VerDouw, Gary	Manager of Rates	AWWSC
Vitale, James	Senior Analyst – Internal Control	AWWSC
Walker, Kelley	Senior Vice President and Counsel	AWWSC

Author	Title	Entity Affiliation
Waller-Goree, Cendy	Executive Assistant	AWWSC
Ware, Jerry	Manager of Rates	AWWSC
Watson, John	President	TAWC
Weber, David	Manager of Rates and Regulations	AWWSC
Wolf, Ellen	CFO	AWWSC
Woodward, Christi	Senior Analyst	AWWSC
Young, John	President	AWWSC
Zinnanti, Mark	Superintendent of Production	TAWC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served by way of electronic mail, on this the 30th day of December, 2010, upon the following:

Ryan McGehee, Esq.
Mary L. White, Esq.
Counsel for the Consumer Advocate
and Protection Division
OFFICE OF THE ATTORNEY GENERAL
425 5th Avenue North, 2nd Floor
Nashville, TN 37243-0491

David C. Higney, Esq.
Counsel for Chattanooga Regional
Manufacturers Association
GRANT, KONVALINKA & HARRISON, P.C.
633 Chestnut Street, 9th Floor
Chattanooga, TN 37450

Henry M. Walker, Esq.
Counsel for Chattanooga Regional
Manufacturers Association
BRADLEY, ARANT, BOULT, CUMMINGS, PLC
1600 Division Street, Suite 700
Nashville, TN 37203

Michael A. McMahan, Esq.
Valerie L. Malueg, Esq.
City of Chattanooga (Hamilton County)
OFFICE OF THE CITY ATTORNEY
100 East 11th Street, Suite 200
Chattanooga, TN 37402

Frederick L. Hitchcock, Esq.
Harold L. North, Jr., Esq.
Counsel for City of Chattanooga
CHAMBLISS, BAHNER & STOPHEL, P.C.
1000 Tallan Building
Two Union Square
Chattanooga, TN 37402

Mark Brooks, Esq.
Counsel for Utility Workers Union of America,
AFL-CIO and UWUA Local 121
521 Central Avenue
Nashville, TN 37211

Scott H. Strauss, Esq.
Katharine M. Mapes, Esq.
Counsel for UWUA, AFL-CIO and UWUA Local 121
SPIEGEL & MCDIARMID LLP
1333 New Hampshire Avenue, NW
Washington, DC 20036

Donald L. Scholes, Esq.
Counsel for Walden's Ridge Utility District and Signal Mountain
BRANSTETTER, STRANCH & JENNINGS PLLC
227 Second Avenue North
Fourth Floor
Nashville, TN 37201

