

BASS

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January 21, 2011

VIA HAND DELIVERY

filed electronically in docket office on 01/21/11

Ryan L. McGehee
Assistant Attorney General
Office of the Attorney General
Consumer Advocate and Protection Division
P.O. Box 20207
Nashville, Tennessee 37202

Re: Docket No. 10-00189: *Petition Of Tennessee American Water Company To Change And Increase Certain Rates And Charges So As To Permit It To Earn A Fair And Adequate Rate Of Return On Its Property Used And Useful In Furnishing Water Service To Its Customers*

Dear Ryan:

This letter replies to your letter of January 21, 2011. In that letter you request on behalf of the Consumer Advocate and Protection Division a duplicate copy of a disc previously provided as part of Tennessee American Water Company's (the "Company") Confidential Response to the City of Chattanooga's Discovery Request # 19 (the "Confidential Response").

The Company's Confidential Response, filed on November 19, 2010, consisted of two compact discs, one of which was labeled "Tennessee American Water Company's First Discovery Responses to the City of Chattanooga: TN-COC-01-Q19-CONFIDENTIAL ATTACHMENTS 1: Confidential, Disk Date: November 15, 2010." That disc contained all of the confidential workpapers of Schumaker & Company. Though one of the two discs in the Confidential Response was later recalled due to inadvertent production, the Company did not recall the disc containing the confidential Schumaker workpapers nor did any party return this disc to the Company. See Docket No. 10-00189, Letter to Sharla Dillon (Nov. 24, 2010).

Nevertheless, as requested I have attached a duplicate of the disc containing the confidential Schumaker workpapers that was produced to the CAPD on November 19, 2010.

It is my hope that should issues like this arise in the future the CAPD would attempt to resolve such issues informally before making accusations or filings with the Authority.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Killion".

David Killion

Enclosure

cc: Ryan McGehee, Esq. (w/enclosure)
Sharla Dillon (w/o enclosure)
Mary L. White, Esq. (w/o enclosure)
David C. Higney, Esq. (w/o enclosure)
Henry M. Walker, Esq. (w/o enclosure)
Michael A. McMahan, Esq. (w/o enclosure)
Valerie L. Malueg, Esq. (w/o enclosure)
Frederick L. Hitchcock, Esq. (w/o enclosure)
Harold L. North, Jr., Esq. (w/o enclosure)
Mark Brooks, Esq. (w/o enclosure)
Scott H. Strauss, Esq. (w/o enclosure)
Katharine M. Mapes, Esq. (w/o enclosure)
Donald L. Scholes, Esq. (w/o enclosure)

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DISK FORMAT:
PDF, MS WORD,
MS EXCEL

DISK DATE:
NOVEMBER 15, 2010

TENNESSEE AMERICAN WATER COMPANY'S FIRST
DISCOVERY RESPONSES TO
CITY OF CHATTANOOGA
TN-COC-01-Q19-CONFIDENTIAL ATTACHMENTS 1
CONFIDENTIAL
BEFORE THE TENNESSEE REGULATORY
AUTHORITY
DOCKET No. 10-00189