

January 28, 2011

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Mary Freeman, Chairman
c/o Ms. Sharla Dillon
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

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

Dear Chairman Freeman:

The parties to Docket 10-00189 jointly propose the following procedure addressing the Motion filed by the City of Chattanooga on January 18, 2011 asking that Ms. Schumaker be directed to appear for a deposition. I am authorized to state that all parties concur in this recommendation. The proposed procedure is as follows:

Ms. Schumaker will be requested to come to Nashville to give a deposition and also will be called as a witness live at the evidentiary hearing where she can be questioned by the parties, the staff, and the Directors.

Any witness who seeks to respond to Ms. Schumaker's testimony, as provided in the deposition, will submit that response in writing prior to the evidentiary hearing.

The deposition will be taken before Richard Collier in the TRA's hearing room. The deposition will be limited to a single day, and Richard will equitably divide the time among the parties.

Richard Collier and Dale Grimes will jointly call Ms. Schumaker to request her appearance for the deposition and at trial, and a representative of the other parties may also be on the call upon request. In that call, as a courtesy Ms. Schumaker will be advised which witnesses have provided testimony about the Service Company, and she will be offered copies of that testimony for her review prior to the deposition.

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We submit this proposal for your consideration

Very truly yours,

BRADLEY ARANT BOULT CUMMINGS LLP

By: 
Henry Walker

HW/dnr

cc: Richard Collier, General Counsel
All Parties (as listed on Exhibit A attached hereto)

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EXHIBIT A

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