

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

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

MOTION FOR LEAVE TO ISSUE ADDITIONAL LIMITED DISCOVERY

The Consumer Advocate and Protection Division ("Consumer Advocate"), pursuant to TRA Rule 1220-1-2-.11, hereby submits this Motion requesting permission to issue limited additional discovery requests to Tennessee American Water Company ("TAWC" or "Company"). Pursuant to TRA Rule 1220-1-2-.11, the Consumer Advocate seeks leave of the Hearing Officer to submit brief additional discovery to TAWC limited to issues raised in the rebuttal testimony recently filed by TAWC and more specifically by the exhibits to the rebuttal testimony.

As support for its Motion, the Consumer Advocate would represent to the Authority that certain of the exhibits submitted by TAWC and referred to in the rebuttal testimony filed last week pursuant to the Scheduling Order in this Docket have raised questions that the Consumer Advocate seeks to have answered prior to the Hearing in this Docket. The discovery that the Consumer Advocate seeks to submit to TAWC is brief and focused only on technical data and information utilized in or related to the rebuttal testimony and the rebuttal exhibits which accompanied that testimony. The proposed discover is being filed with the Authority contemporaneously with the filing of this Motion, and as can be seen therein, the Consumer Advocate seeks to submit two additional discovery items. The first merely asks for the

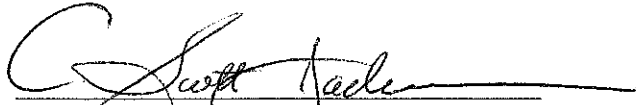
workpapers supporting one line (line 10) of one exhibit (MEM-7) submitted as part of the rebuttal testimony of TAWC witness Mike Miller. These materials should be readily available and are essential to the Consumer Advocate fully understanding that portion of Mr. Miller's testimony.

The second request refers to certain information relied upon by TAWC witness Dr. Edward L. Spitznagel in two of his exhibits (ELS-1 and ELS-2). It asks in four subparts for four specific items of information for the 25 year period utilized by Dr. Spitznagel in his testimony and in those two exhibits. While this request may seem to be more significant on its face, like the request regarding Mr. Miller it is all information that appears to have been relied on by the witness to prepare the exhibits in question so it should be readily at hand. As such, the production of it should impose no significant hardship on TAWC and it is necessary for the Consumer Advocate to fully understand the testimony and thus prepare for examination at the Hearing.

The Consumer Advocate would further represent to the Authority that allowing it to submit this additional discovery will aid in the preparation of its case for the Hearing in this Docket and will allow the Consumer Advocate to focus on only those issues which have the greatest bearing on the items at issue herein and will, in all likelihood allow the Consumer Advocate to be more efficient and brief in its presentation to the Authority. The Consumer Advocate pledges, should the Hearing Officer see fit to grant this Motion, to work with counsel for TAWC to agree on a schedule for the production of the responses to the additional discovery in such a way that it is least disruptive to the preparation for the Hearing in this Docket while still coming soon enough to be useful in streamlining the Consumer Advocate's presentation to

the Authority. Accordingly, the Consumer Advocate seeks permission to submit to TAWC the additional discovery items filed along with this Motion.

RESPECTFULLY SUBMITTED,

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

RYAN L. McGEHEE, BPR #25559

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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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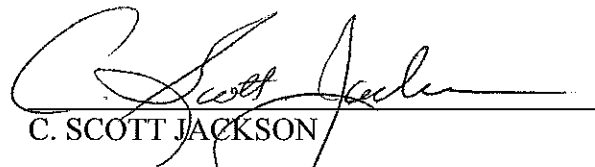
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This the 15th day of February, 2010.


C. SCOTT JACKSON