

BUTLER | SNOW

July 10, 2012

VIA ELECTRONICALLY

Hon. Kenneth C. Hill, Chairman
c/o Sharla Dillon
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

RE: Petition Of Tennessee American Water Company To Change And Increase Certain Rates And Charges So Far 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, TRA Docket No. 12-00049

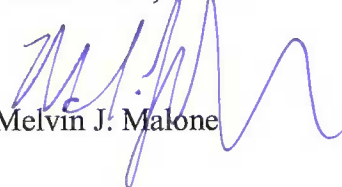
Dear Chairman Hill:

Enclosed for filing please find *Tennessee-American Water Company's Objections to the First Round of Data Requests*. An extra copy is attached to be file-stamped for our records.

Should you have any questions concerning this filing, or require additional information, please do not hesitate to let me know.

Very truly yours,

BUTLER, SNOW, O'MARA, STEVENS &
CANNADA, PLLC


Melvin J. Malone

clw
Attachment

c: Parties of Record

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BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

PETITION OF TENNESSEE AMERICAN)	
WATER COMPANY TO CHANGE AND)	
INCREASE CERTAIN RATES AND)	
CHARGES SO FAR AS TO PERMIT IT TO)	DOCKET NO. 12-00049
EARN A FAIR AND ADEQUATE)	
RATE OF RETURN ON ITS PROPERTY)	
USED AND USEFUL IN FURNISHING)	
WATER SERVICE TO ITS CUSTOMERS)	

**TENNESSEE AMERICAN WATER COMPANY'S OBJECTIONS TO THE FIRST
ROUND OF DATA REQUESTS**

Tennessee American Water Company ("TAWC") hereby tenders its objection to a discovery request served on Friday, July 6th. Although served with over three hundred data requests and requests for admission, TAWC is only objecting to the one request identified below. The fact that TAWC only has a single objection demonstrates that it is committed to a transparent and cooperative discovery process.

I.

CITY OF CHATTANOOGA DATA REQUESTS

REQUEST NO. 72: Provide all *Documents* constituting, referencing, containing, relating to, responding to, or referring to any benchmarking studies or similar reports for *TAWC*, *AWWC*, *AWWSC*, and any other subsidiary or affiliate of *AWWC*, whether in draft or final form, with all associated documentation, including, but not limited to definitions, instructions, data inputs, and supplementary reports, that have been initiated or completed since January 1, 2008. The requested *Documents* include, without limitation, all *Documents* constituting, referencing, containing, relating to, responding to, or referring to internal analyses of these reports, including, without limitation, remediation plans, schedules, and progress reports associated with follow-up for this work.

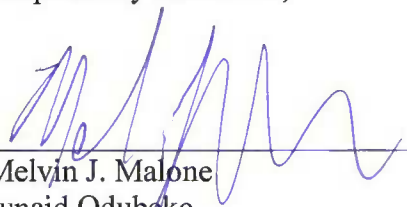
RESPONSE: TAWC objects to this request because it is overly broad, unduly burdensome, and contains vague and ambiguous terms. Because of the breadth of the request, it seeks information that is not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence. Specifically, in requesting “any benchmarking studies or similar reports” for every regulated and non-regulated subsidiary and affiliate of TAWC and American Water, the request seeks information that is not in TAWC’s possession and would be unduly burdensome to obtain. Moreover, in Case No. 10-00189, the Hearing Officer denied the City of Chattanooga’s motion to compel with regard to a data request that sought information regarding every subsidiary and affiliate of TAWC because such a request was not “relevant to the specific matters for determination by this Authority, nor reasonably calculated to lead to the discovery of admissible evidence.”¹

Without waiving the foregoing objections, TAWC will produce, as part of its responses on July 30, 2012, benchmarking studies that are relevant to TAWC, which is similar to the information provided in response to this request in Case No. 10-00189.

This the 10th day of July, 2012.

Respectfully submitted,

By:



Melvin J. Malone

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¹ *In re: The Petition of Tennessee American Water Company for a General Rate Increase* (TRA Docket No. 10-00189), Order on First Round Discovery Disputes (December 23, 2010).

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CERTIFICATE OF SERVICE

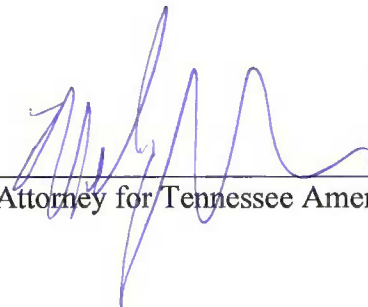
I hereby certify that a copy of the foregoing was served via either U.S. Mail or electronically on this 10th day of July, 2012, to:

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