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August 24, 2012

VIA HAND DELIVERY

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 please find the original plus thirteen (13) copies of *Tennessee-American Water Company's Motion to Modify Procedural Schedule*. An extra copy is also attached to be filed-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

Enclosures

cc: Deron Allen, President, Tennessee-American Water Company
Lindsey W. Ingram III, Stoll Keenon Ogden PLLC
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 MOTION TO
MODIFY PROCEDURAL SCHEDULE**

Pursuant to the Procedural Schedule in the above-captioned matter, the hearing on the merits in this case is currently set for October 15-19, 2012. For good cause shown, as set forth below, Tennessee-American Water Company ("TAWC") hereby respectfully requests that the Procedural Schedule be modified to accommodate a Public Comment Hearing in Chattanooga, Tennessee.

I.

DISCUSSION

Given TAWC's request for a rate increase pursuant to Tenn. Code Ann. § 65-5-101, *et seq*, and consistent with the Tennessee Regulatory Authority's ("TRA" or "Authority") past practice, TAWC would like for its customers, and the communities that it serves, to have the opportunity to comment on the pending rate case, as well as on the safety, adequacy and efficiency, or lack thereof, of the services furnished by TAWC.

The Authority has the discretion to determine the location of contested hearings before it. Historically, and for a host of reasons, including, but not limited to, ease of administrative

burden and costs, most such cases have been held at the Authority. Notwithstanding the foregoing, the Authority has held TAWC rate case hearings in both Nashville and Chattanooga.

Should the Authority determine to hold the hearing in this matter in Nashville, as it does with respect to other regulated public utilities, it would also be customary for the Authority to provide an opportunity for impacted ratepayers to submit public comments, which comments would become a part of the official evidentiary record to be fully considered by the Authority.¹ Therefore, TAWC proposes that the hearing be held in Nashville consistent with the Authority's traditional practice with respect to other regulated utilities and that a Public Comment Hearing be held in Chattanooga, Tennessee to serve the public interest. Previously, and among other venues, such public comment hearings have been held at the Hamilton County Courthouse at 625 Walnut Street, Chattanooga, Tennessee. To accommodate the public, the Public Comment Hearing can provide an opportunity for public comment during a multiple hour time period (such as 2 – 4 hours) or during an all day schedule (such as 9:00 a.m. to 7:00 p.m.), whichever the Authority deems more prudent.

TAWC proposes that a Public Comment Hearing be held at the Hamilton County Courthouse at 625 Walnut Street, Chattanooga, Tennessee, or at any other suitable Chattanooga area location as determined by the Authority, on Tuesday, September 18, 2012, from 4:00 p.m. until 7:00 p.m. A court reporter would be present at all times during the Public Comment Hearing, and the transcripts there from would be submitted to the Authority for inclusion into the official evidentiary record.

¹ See, e.g., *In Re: Petition of Chattanooga Gas Company for a General Rate Increase, Implementation of the Energysmart Conservation Programs and Implementation of a Revenue Decoupling Mechanism*, Notice of Public Service Standard Hearing and Pre-Hearing Conference, TRA Docket No. 09-00183 (Mar. 19, 2010). See also *In Re: Petition of Chattanooga Gas Company for a General Rate Increase, Implementation of the Energysmart Conservation Programs and Implementation of a Revenue Decoupling Mechanism*, Order Modifying Hearing Schedule, TRA Docket No. 09-00183 (Mar. 19, 2010) (Both this March 19, 2010 Order Modifying Hearing Schedule and the earlier entered Order Granting Petitions to Intervene and Establishing Procedural Schedule include a Public Service Standard Hearing.).

II.

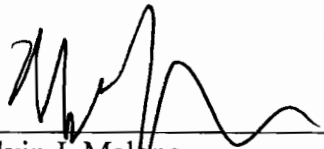
CONCLUSION

For the foregoing reasons, TAWC respectfully requests that the Procedural Schedule be modified to accommodate a Public Comment Hearing in Chattanooga, Tennessee.

This the 24th day of August, 2012.

Respectfully submitted,

By:



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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 24th day of August, 2012, to:

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