

Kelly Grams

From: Kelly Grams
Sent: Tuesday, March 31, 2015 1:51 PM
To: 'Walker, Henry'; 'Rachel Newton'
Cc: David Foster; Jean A. Stone; Patsy Fulton
Subject: RE: TWSI Data Responses//TWSI Docket No. 14-00136

Be sure to file it in the docket file. Thank you-

Kelly Cashman-Grams
Deputy General Counsel/Hearing Officer
Tennessee Regulatory Authority

From: Walker, Henry [<mailto:HWALKER@babco.com>]
Sent: Tuesday, March 31, 2015 1:39 PM
To: Walker, Henry; Kelly Grams; 'Rachel Newton'
Cc: David Foster; Jean A. Stone
Subject: RE: TWSI Data Responses//TWSI Docket No. 14-00136

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Postscript: I have talked with my client today and TWSI company is going through its files now, looking for all communications with TDEC as requested by the Staff in the data request. Mr. Hyatt said they will send everything they find to me on Thursday, April 2. I will then forward it to the Staff and to the CAD.

From: Walker, Henry
Sent: Monday, March 30, 2015 6:04 PM
To: 'Kelly Grams'; 'Rachel Newton'
Cc: David Foster; Jean A. Stone
Subject: RE: TWSI Data Responses//TWSI Docket No. 14-00136

You are right about the Database file. It is open to the public.

It is my understanding that the Water Log refers to the internal files of TDEC. It is not open to the public (except through a public records request) but it is the most complete record of communications between TDEC and TWSI. If the TRA or the CAD wants to get access to the TDEC Water Log, they can request it from TDEC. TWSI will be happy to provide whatever assistance would be helpful but TWSI has no direct access to that information.

To my knowledge, the TRA staff has not asked for any additional information from the company on this issue nor have they indicated that the company's responses are incomplete. Nevertheless, I will ask TWSI to gather and provide to both the Staff and the CAD whatever information TWSI has in its possession that is responsive to those staff data requests.

From: Kelly Grams [<mailto:Kelly.Grams@tn.gov>]
Sent: Monday, March 30, 2015 5:48 PM
To: 'Rachel Newton'; Walker, Henry
Cc: David Foster; Jean A. Stone
Subject: TWSI Data Responses//TWSI Docket No. 14-00136

Rachel/Henry,

In follow-up to the Consumer Advocate's inquiry concerning those TWSI data responses that reference a TDEC "waterlog" or "Water Log," including TWSI Response #24 (filed 3/27/15), the TRA does not have access to any such TDEC database. It has, however, been brought to my attention that TDEC does provide some information that may be accessed by the public within the "Dataviewers" section of its website. I do not know whether the information sought by the Consumer Advocate is included, but the general link to Dataviewers is as follows:

<http://www.tennessee.gov/environment/dataviewers.shtml>

Below is the link to the [TDEC] Department Enforcement Database (included in Dataviewers):

http://environment-online.state.tn.us:8080/pls/enf_reports/f?p=9001:610:1412886802456::NO::P610_SELECT_SEARCH:1

Nevertheless, I will note that the TRA Staff data requests do not ask for copies of a TDEC waterlog/Water Log. Instead, the TRA's requests direct TWSI to provide copies of "all orders, notices of violations, letters, reports, memorandums, emails, or any other communication[s] issued **by TDEC to TWSI or any of its affiliates**" and "all letters, reports, corrective action plans, memorandums, emails, or any other communication[s] issued **from TWSI or any of its affiliates to TDEC.**" (See TRA Data Request Nos. 24, 25, 44, 45, 60, 61, 80, and 81 (January 15, 2015)) These requests do not seek information held by TDEC. Rather, these data requests seek information that is or should be in the possession of TWSI. Accordingly, an appropriate and complete response to the requests would include the actual documents, information, and communications received by TWSI from TDEC and sent/provided to TDEC from TWSI. As it appears that complete responses to the TRA's Data Requests noted above have not yet been filed, TWSI should supplement its responses ASAP. Thank you.

Kelly Cashman-Grams

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