

**IN THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

IN RE:)
)
PETITION OF KINGSPORT POWER)
COMPANY d/b/a AEP APPALACHIAN) **DOCKET NO. 16-00001**
POWER GENERAL RATE CASE AND)
MOTION FOR PROTECTIVE ORDER)

**DISCOVERY AGREEMENT
BETWEEN THE CONSUMER ADVOCATE AND
EAST TENNESSEE ENERGY CONSUMERS**

In order to resolve a dispute as to the treatment of certain materials and information produced by Kingsport Power Company ("KgPCo") pursuant to a discovery request propounded by the Consumer Protection and Advocate Division ("Consumer Advocate" or "CPAD") of the Office of the Tennessee Attorney General relating to energy usage by the members of the East Tennessee Energy Consumers ("ETEC"), CPAD and ETEC have reached the following agreement:

1. By CPAD Discovery Request No. 25, CPAD requested that KgPCo produce certain information and materials regarding KgPCo's 25 largest customers. The information and materials produced by KgPCo included information and materials relating to ETEC's four members, each of which is among KgPCo's 25 largest customers. ETEC's four members are Air Products and Chemicals, Inc., Domtar Paper Company, Inc., Eastman Chemical Company and Wellmont Health System.

2. ETEC's four members consider the information and materials relating to their electric usage requested by CPAD from KgPCo pursuant to CPAD Discovery Request No. 25 to be highly confidential, proprietary, and competitively sensitive business information, and such information has been designated as Confidential Information by KgPCo pursuant to the Protective Order entered in

this Docket ("Protective Order").

3. CPAD agrees that the only outside consultants or expert witnesses to whom CPAD has disclosed or will disclose the information and materials produced by KgPCo in response to CPAD Discovery Request No. 25 are Hal Novak, Chris Klein and Ralph Smith. Messrs. Novak, Klein and Smith represent that they, and any associates in their offices with whom they might share such information or materials, do not work for or consult with competitors of any of ETEC's four members, or with clients in the chemical, paper or healthcare industries.

4. ETEC has withdrawn its request that any contact by CPAD's outside consultants or expert witnesses with ETEC's four members be initiated through ETEC's counsel.

5. ETEC hereby withdraws its objection to CPAD Request No. 25, and its request for amendment of the Protective Order.

6. This Discovery Agreement shall be governed by and construed under the laws of the State of Tennessee. Nothing herein limits or alters the Sovereign Immunity of the State of Tennessee or any of its entities or subdivisions.

7. CPAD and ETEC agree that this Discovery Agreement will be filed on the record in this matter.

[signature page follows]

Agreed this 14th day of April, 2016.

East Tennessee Energy Consumers



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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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This the 14th day of April, 2016.



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