

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

May 26, 2017

IN RE:

PETITION OF INTEGRA WATER TENNESSEE,
LLC FOR A CCN AND AUTHORITY TO
CHARGE RATES IN CASEY COVE
SUBDIVISION LOCATED IN DEKALB
COUNTY, TENNESSEE

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DOCKET NO.
17-00014

ORDER GRANTING CONSUMER ADVOCATE'S MOTION FOR LEAVE
TO ISSUE MORE THAN FORTY DISCOVERY REQUESTS

This matter is before the Hearing Officer upon the *Motion for Leave to Issue More than Forty Discovery Requests* ("Motion") filed by the Consumer Protection and Advocate Division of the Office of the Attorney General ("Consumer Advocate") on May 9, 2017 requesting leave to serve more than forty discovery requests on Integra Water Tennessee, LLC ("Integra" or the "Company") pursuant to Tennessee Public Utility Commission ("Commission" or "TPUC") Rule 1220-1-2-.11. The Consumer Advocate also filed a *Memorandum in Support of the Consumer Advocate's Motion for Leave to Issue more than Forty Discovery Requests* ("Memo") on May 9, 2017.

In its *Memo*, the Consumer Advocate states that Integra's "subsidiary/affiliate, multi-state structure and operations requires more extensive discovery than would ordinarily occur."¹ In addition, the Consumer Advocate maintains that "[t]he consequences of the denial of the additional discovery requested would include the inability of the Consumer Advocate to test the merits of Integra Water's proposed establishment of a rate and to evaluate the impact on

¹ *Memo*, p. 5 (May 9, 2017).

consumers and related policy issues presented in the Integra Water's *Initial Petition*.”² According to the Consumer Advocate “discovery is necessary in order for the Consumer Advocate to take informed positions in representing consumers in any potential settlement negotiations.”³

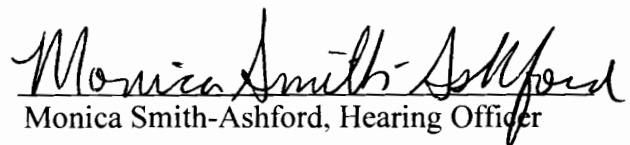
TPUC Rule 1220-1-2-.11 states as follows:

No party shall serve on any other party more than forty (40) discovery requests including sub-parts without first having obtained leave of the Authority or a Hearing Officer. Any motion seeking permission to serve more than forty (40) discovery requests shall set forth the additional requests. The motion shall be accompanied by a memorandum establishing good cause for the service of additional interrogatories or requests for production. If a party is served with more than forty (40) discovery requests without an order authorizing the same, such party need only respond to the first forty (40) requests.

TPUC Rules allow a minimum of forty discovery requests to be served upon a party. Nevertheless, upon compliance with TPUC Rule 1220-1-2-.11 and a showing of good cause, the Commission has been flexible in permitting supplemental discovery to occur. In light of the foregoing, the Hearing Officer finds that the Consumer Advocate met the requirements of the Rule by showing good cause to issue additional discovery requests to Integra. Further, the Company has not opposed the Consumer Advocate's *Motion*. Therefore, based on these findings, the Hearing Officer grants the *Motion*.

IT IS THEREFORE ORDERED THAT:

The *Motion for Leave to Issue More than Forty Discovery Requests* is granted.


Monica Smith-Ashford, Hearing Officer

² *Id.* at 6.

³ *Id.*