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KPOW.94403

November 13, 2017

**VIA EMAIL (Sharla.Dillon@tn.gov) & FEDEX**

Mr. David Jones, Chairman  
c/o Sharla Dillon, Dockets & Records Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4th Floor  
Nashville, TN 37243

Re: Resolution of Boundary Dispute Between Kingsport  
Power Company d/b/a AEP Appalachian Power and  
Bristol Tennessee Essential Services  
Docket No. 17-00087

Dear Chairman Jones:

On behalf of Kingsport Power Company, we transmit herewith the following:

Notice of Withholding Documents

The original and four (4) copies are being sent via Federal Express.

Very sincerely yours,

**HUNTER, SMITH & DAVIS, LLP**

*William C. Bovender*

William C. Bovender *by JBH*

Enclosure: As stated

cc: Henry Walker, Esq. (w/enc.)  
C. Thomas Davenport, Jr., Esq. (w/enc.)  
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Mr. David Jones, Chairman

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November 13, 2017

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**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**  
**NASHVILLE, TENNESSEE**

IN RE:	)	
	)	
RESOLUTION OF BOUNDARY DISPUTE	)	
BETWEEN KINGSFORT POWER COMPANY	)	DOCKET NO.: 17-00087
d/b/a AEP APPALACHIAN POWER AND	)	
BRISTOL TENNESSEE ESSENTIAL SERVICES	)	
AS AUTHORIZED BY T.C.A. § 65-34-105	)	

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**NOTICE OF WITHHOLDING DOCUMENTS**

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Comes Petitioner, Kingsport Power Company, d/b/a AEP Appalachian Power and notifies the Commission and BTES that the following documents are being withheld from the discovery document production of November 10, 2017, pursuant to the Scheduling Order:

- (1) Four documents from the 1950's which are illegible.
- (2) Legal Memo from the In-House Counsel to Kingsport Power Company, April 8, 1958 – Attorney-Client privilege.
- (3) February 3, 1988 Letter from T. Arthur Scott, Jr. to Thomas A. Rotenberry and attached Memo – Attorney-Client privilege.
- (4) Memo to Rotenberry's File regarding financial arrangements with Attorney Frank Gorrell in 1989. Attorney-Client privilege.
- (5) April 15, 1988 Letter from T. Arthur Scott, Jr. to Carl Bacon and Memorandum – Attorney-Client privilege.

Respectfully submitted this the 13<sup>th</sup> day of November, 2017

**KINGSPORT POWER COMPANY d/b/a AEP  
APPALACHIAN POWER**

By: 

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*Attorneys for Kingsport Power Company*

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **Notice of Withholding Documents** has been served upon the following by mailing a copy of same by United States mail, postage prepaid, and by Email, as follows, on this the 13<sup>th</sup> day of November, 2017.

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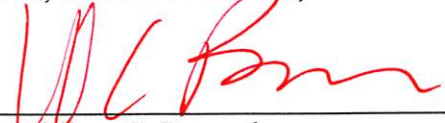
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HUNTER, SMITH & DAVIS, LLP

By

A handwritten signature in red ink, appearing to be 'W.C. Bovender', written over a horizontal line.

William C. Bovender