

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION  
AT NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE</b>	)	
<b>AMERICAN WATER COMPANY</b>	)	<b>DOCKET NO. 18-00009</b>
<b>REGARDING THE PRODUCTION</b>	)	
<b>COSTS AND OTHER PASS-</b>	)	
<b>THROUGHS RIDER</b>	)	

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**CONSUMER ADVOCATE'S FIRST DISCOVERY REQUEST  
TO TENNESSEE AMERICAN WATER COMPANY.**

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To: Tennessee American Water Company  
C/O Melvin J. Malone  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
The Pinnacle at Symphony Place  
150 3rd Avenue South, Suite 1600  
Nashville, TN 37201  
[melvin.malone@butlersnow.com](mailto:melvin.malone@butlersnow.com)

Linda Bridwell  
Manager of Rates and Regulation – Tennessee and Kentucky  
Kentucky American Water Company  
2300 Richmond Road  
Lexington, KY 40502  
[Linda.Bridwell@amwater.com](mailto:Linda.Bridwell@amwater.com)

This First Discovery Request is hereby served upon Tennessee American Water Company (Company), pursuant to Rules 26, 33, 34 and 36 of the Tennessee Rules of Civil Procedure and Tenn. Comp. R. & Reg. 1220-1-2-.11. The Consumer Protection and Advocate Division of the Attorney General's Office (Consumer Advocate) requests that full and complete responses be provided pursuant to the Tennessee Rules of Civil Procedure. The responses are to be produced at the Office of the Tennessee Attorney General and Reporter, Consumer Protection and Advocate Division, 315 Deaderick Street, 20<sup>th</sup> Floor, Nashville, Tennessee 37243, c/o Karen H. Stachowski, on or before 4:00 p.m. (CDT), March 19, 2018.

## **PRELIMINARY MATTERS AND DEFINITIONS**

1. **Continuing Request.** These discovery requests are to be considered continuing in nature, and are to be supplemented from time to time as information is received by the Company and any of its affiliates which would make a prior response inaccurate, incomplete, or incorrect.

2. **Clear References.** To the extent that the data or information requested is incorporated or contained in a document, identify the document including page/line number if applicable.

3. **Format of Responses.** Provide all responses in the format in which they were created or maintained, for example, Microsoft Word or Microsoft Excel format with all cells and formulas intact and in working order. If a document (including without limitation a financial or other spreadsheet or work paper) is not created or maintained in Microsoft Excel format, convert the document to Microsoft Excel format or provide the document in a format that enables or permits functionality like or similar to Microsoft Excel (including without limitation the functionality of working cells and formulas), or provide the software program(s) that will enable the Consumer Advocate to audit and analyze the data and information in the same manner as would be enabled or permitted if the document were provided in Microsoft Excel format.

4. **Objections.** If any objections to this discovery are raised on the basis of privilege or immunity, include in your response a complete explanation concerning the privilege or immunity asserted. If you claim a document is privileged, identify the document and state the basis for the privilege or immunity asserted. If you contend that you are entitled to refuse to fully answer any of this discovery, state the exact legal basis for each such refusal.

5. The singular shall include the plural, and vice-versa, where appropriate.

6. **Definitions.** As used in this Request:

(a) “You,” “Your,” “Company,” “Tennessee American,” or “TAWC” shall mean Tennessee American Water Company and all employees, agents, attorneys, representatives or any other person acting or purporting to act on its behalf.

(b) “Affiliate” shall mean any entity who, directly or indirectly, is in control of, is controlled by, or is under common control with the Company. For greater clarification, “control” is the ownership of 20% or more of the shares of stock entitled to vote for the election of directors in the case of a corporation, or 20% or more of the equity interest in the case of any other type of entity, or status as a director or officer of a corporation or limited liability company, or status as a partner of a partnership, or status as an owner of a sole proprietorship, or any other arrangement whereby a person has the power to choose, direct, or manage the board of directors or equivalent governing body, officers, managers, employees, proxies, or agents of another person. In addition, the term “Affiliate” shall mean any entity that directly or indirectly provides management or operational services to the Company or any affiliate (as defined in the preceding sentence) of the Company, or to which the Company provides management or operational services. Further, the payment of money to the Company or receipt by the Company of money from an entity with which the Company has any relationship, other than such payment or receipt, shall include the payor or recipient of such money as an “Affiliate”.

(c) “Communication” shall mean any transmission of information by oral, graphic, written, pictorial or otherwise perceptible means, including but not limited to personal conversations, telephone conversations, letters, memoranda, telegrams, electronic mail, newsletters, recorded or handwritten messages, meetings and personal conversations, or otherwise.

(d) “Document” shall have the broadest possible meaning under applicable law. “Document” shall mean any medium upon which intelligence or information can be recorded or retrieved, such as any written, printed, typed, drawn, filmed, taped, or recorded medium in any manner, however produced or reproduced, including but not limited to any writing, drawing, graph, chart, form, letter, note, report, electronic mail, memorandum (including memoranda, electronic mail, report, or note of a meeting or communication), work paper, spreadsheet, photograph, videotape, audio tape, computer disk or record, or any other data compilation in any form without limitation, which is in your possession, custody or control. If any such document was, but no longer is, in your possession, custody or control, state what disposition was made of the document and when it was made?

(e) “Person” shall mean any natural person, corporation, firm, company, proprietorship, partnership, business, unincorporated association, or other business or legal entity of any sort whatsoever.

(f) “Identify” with respect to:

- i. Any natural person, means to state the full name, telephone number, email address and the current or last known business address of the person (if no business address or email address is available provide any address known to you) and that person's relationship, whether business, commercial, professional, or personal with you;
  - ii. Any legal person, business entity or association, means to state the full name, the name of your contact person with the entity, all trade name(s), doing business as name(s), telephone number(s), email address(es), and current or last known business address of such person or entity (if no business address is available provide any address known to you);
  - iii. Any document, means to state the type of document (e.g., letter), the title, identify the author, the subject matter, the date the document bears and the date it was written; and
  - iv. Any oral communication, means to state the date when and the place where it was made, identify the person who made it, identify the person or persons who were present or who heard it, and the substance of it.
- (g) "And" and "or" shall be construed conjunctively or disjunctively as necessary to make the discovery request inclusive rather than exclusive.
- (h) "Including" shall be construed to mean including but not limited to.

### **FIRST DISCOVERY REQUESTS**

- 1-1. Refer to the "GL Details" tab of the "Workpaper Purchased Water" spreadsheet. Provide a corresponding copy of the Company's General Ledger that relates to this spreadsheet.

#### **RESPONSE:**

- 1-2. Refer to the "Monthly Totals" tab of the "Workpaper Purchased Water" spreadsheet. Explain the reasons for the variance of \$3,419 between invoiced amounts and the Company's General Ledger amounts.

#### **RESPONSE:**

- 1-3. Refer to the “GL Transactions” tab of the “Workpaper Fuel & Power” spreadsheet. Provide a corresponding copy of the Company’s General Ledger that relates to this spreadsheet.

**RESPONSE:**

- 1-4. Refer to the “Monthly Totals” tab of the “Workpaper Fuel & Power” spreadsheet. Explain the variance of \$131,068 between invoiced amounts and the Company’s General Ledger amounts.

**RESPONSE:**

- 1-5. Refer to the “518000000 Download” tab of the “Workpaper Chemicals” spreadsheet. Provide a corresponding copy of the Company’s General Ledger that relates to this spreadsheet.

**RESPONSE:**

- 1-6. Refer to the “Monthly Totals” tab of the “Workpaper Waste Disposal” spreadsheet. We note that the 13 MTD December 2017 amount of \$344,010 exceeds the Chemical Expense of \$311,083 in the previous PCOP filing (TPUC Docket No. 16-00148) by 11%. Provide an explanation of the year-over-year increase in chemical expense for each account shown on the “Monthly Totals” tab.

**RESPONSE:**

1-7. Refer to the “GL Details 51110000” tab of the “Workpaper Waste Disposal” spreadsheet.  
Provide a corresponding copy of the Company’s General Ledger that relates to this spreadsheet.

**RESPONSE:**

1-8. Refer to the “GL Details 51110000” tab of the “Workpaper Waste Disposal” spreadsheet.  
Explain what is included in column X “Non Invoice” as included in this spreadsheet.

**RESPONSE:**

1-9. Refer to the “GL Detail 24164000” tab of the “Workpaper Waste Disposal” spreadsheet.  
Provide a corresponding copy of the Company’s General Ledger that relates to this spreadsheet.

**RESPONSE:**

1-10. Refer to the “Monthly Totals” tab of the “Workpaper Waste Disposal” spreadsheet.  
Explain the variance of \$20,131 between invoiced amounts and the Company’s General Ledger amounts.

**RESPONSE:**

1-11. Refer to the “GL trans” tab of the “Workpaper TRA Fee” spreadsheet. Provide a corresponding copy of the Company’s General Ledger that relates to this spreadsheet.

**RESPONSE:**

1-12. Refer generally to the General Ledger support tab included within each supporting expense workpaper:

(a) Define each of the abbreviations contained within the document “type column.”

(b) Provide a key to the “document type column.”

**RESPONSE:**

1-13. Refer to Linda C. Bridwell’s Direct Testimony at page 11, lines 12-16. Ms. Bridwell states that the Company’s unaccounted water levels are currently above TPUC’s authorized rate of 15%:

(a) What is the Company’s current unaccounted water levels that are above TPUC’s authorized rate of 15% as referenced by Bridwell in her testimony?

(b) Provide the Company’s average unaccounted water levels by year since the Company’s last rate case, TPUC Docket No. 12-00049.

(c) Provide a copy of the Company’s most recent water loss audit and all other report, document, or information containing an analysis of the Company’s unaccounted water levels.

(d) Provide a copy of the Company’s current plan to address the unaccounted water levels and all documents used to create the Company’s plan.

**RESPONSE:**

1-14. To the extent not already previously provided in your previous responses to these discovery requests, describe in detail with specificity the process the Company undertook to ensure that the percentages and the underlying accounting in this Docket are true and accurate, comport with the requirements of the tariff.

**RESPONSE:**

1-15. Identify each person who you expect to call as an expert witness at the hearing on the merits in this Docket, and for each such expert witness:

- (a) State the field in which the witness is to be offered as an expert;
- (b) Provide complete background information, including the witness's current employer, as well as his or her educational, professional and employment history, and qualifications within the field in which the witness is expected to testify;
- (c) Identify all publications written or presentations presented in whole or in part by the witness, including either a copy of all such publications and presentations or a reference to where such publications and presentations may be publicly obtained;
- (d) Provide the grounds for the opinions to which the witness is expected to testify, and provide a summary of the grounds for each such opinion;
- (e) List and describe any matter in which the witness has testified (through deposition or otherwise) by specifying the name, docket number and forum of each case, the dates of the prior testimony and the subject of the prior testimony, and provide the transcripts of any such testimony;
- (f) Provide the terms of the retention or engagement of each witness including but not limited to the terms of any retention or engagement letters or agreements relating to his/her engagement, testimony, and opinions as well as the compensation to be paid for the testimony and opinions;
- (g) Identify any exhibits to be used as a summary of or support for the testimony or opinions provided by the witness; and
- (h) Produce copies of all documents, summaries, charts, trade articles, journals, treatises, publications, workpapers, file notes, chart notes, tests, test results, interview notes, and consultation notes provided to, reviewed by, utilized by, relied upon, created by, or produced by any proposed witness in evaluating, reaching conclusions or formulating an opinion in this Docket.

**RESPONSE:**

1-16. Identify all persons having knowledge of discoverable matters in this Docket.

**RESPONSE:**



1-17. Produce copies of all documents referred to or relied upon in responding to these discovery requests and preparing the Company's Petition.

**RESPONSE:**

1-18. Produce copies of all hearing exhibits that you plan to introduce, use, or reference at the hearing on the merits in this Docket.

**RESPONSE:**

1-19. Produce copies of all documents – including, without limitation, work papers, spreadsheets, summaries, charts, notes, exhibits, articles, journals, treatises, periodicals, publications, reports, records, statements, Internet web pages, or financial information – relied upon by any of your witnesses in evaluating, reaching conclusions, or formulating an opinion in this Docket.

**RESPONSE:**

1-20. Identify all information, documents and things filed in the present docket record, including all responses to discovery of the parties and data request from the TPUC Staff, which the Company produced in this Docket and does not agree to stipulate to the authenticity of such information, documents and things in this Docket.

**RESPONSE**

1-21. For each separate piece of information, documents and things which the Company produced in this Docket and the Company contends is not admissible as evidence describe

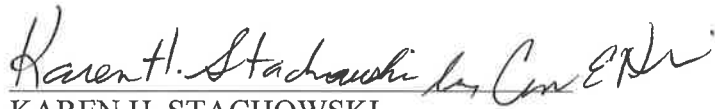
in specific detail any objection(s) the Company claims as to admissibility into the evidentiary record in this Docket.

**RESPONSE:**

1-22. For each of these discovery requests, identify the person(s) who assisted with answering the request.

**RESPONSE:**

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "Karen H. Stachowski by C. E. [unclear]".

KAREN H. STACHOWSKI  
(BPR No. 019607)  
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Office of the Tennessee Attorney General  
Public Protection Section  
Consumer Protection and Advocate Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-2370

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:

Melvin J. Malone  
Butler Snow LLP  
The Pinnacle at Symphony Place  
150 3rd Avenue South, Suite 1600  
Nashville, TN 37201  
[melvin.malone@butlersnow.com](mailto:melvin.malone@butlersnow.com)

Linda Bridwell  
Senior Manager of Rates and Regulation – Tennessee and Kentucky  
Kentucky American Water Company  
2300 Richmond Road  
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[Linda.Bridwell@amwater.com](mailto:Linda.Bridwell@amwater.com)

This the 5th day of March, 2018.

  
KAREN H. STACHOWSKI