

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

July 16, 2018

IN RE:)
)
CHATTANOOGA GAS COMPANY)
PETITION FOR APPROVAL OF AN)
ADJUSTMENT IN RATES AND)
TARIFF; THE TERMINATION OF)
THE AUA MECHANISM AND THE)
RELATED TARIFF CHANGES AND)
REVENUE DEFICIENCY)
RECOVERY; AND AN ANNUAL)
RATE REVIEW MECHANISM)

Docket No.
18-00017

**FIRST DISCOVERY REQUESTS OF CHATTANOOGA GAS COMPANY
TO THE CHATTANOOGA REGIONAL MANUFACTURERS ASSOCIATION**

To: Chattanooga Regional Manufacturers Association
c/o Henry M. Walker, Esq.
Bradley Arant Boult Cummings LLP
Roundabout Plaza
1600 Division Street, Ste 700
Nashville, TN 37203

These discovery requests are hereby served upon the Chattanooga Regional Manufacturers Association (“CRMA”) by Chattanooga Gas Company (“CGC” or “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, and the Order of the Tennessee Public Utility Commission (“TPUC”) in this docket dated March 23, 2018. CGC requests that full and complete responses be provided pursuant to the Tennessee Rules of Civil Procedure and the orders of the TPUC. The CRMA’s responses are to be produced at the offices of the Luna Law Group, PLLC, 333 Union Street,

Suite 300, Nashville, TN 37201, on or before July 20, 2018. As available, emailed copies of responses are requested to be provided to Mr. Luna and Mr. Self.

PRELIMINARY MATTERS AND DEFINITIONS

Each discovery request calls for all knowledge, information, and material available to the CRMA, as a party, whether it be the CRMA, in particular, or knowledge, information, or material possessed or available to the CRMA through its employees, representatives, agents, experts, or consultants.

These discovery requests are to be considered continuing in nature as is required by the Tennessee rules, and are to be supplemented from time to time as information is received by the CRMA or any of its employees, representatives, agents, experts, or consultants which would make a prior response inaccurate, incomplete, or incorrect.

For each discovery request, provide the name of the witness(es) or employee(s) responsible for compiling and providing the information contained in each response.

For purposes of these discovery requests, the term “you” shall mean and include the CRMA and all employees, agents, and representatives thereof.

As used herein, the term “document” shall have the broadest possible meaning under applicable law. “Document” as used herein means any medium upon which intelligence or information can be recorded or retrieved, such as any written, printed, typed, drawn, filmed, taped, electronic, or recorded medium in any manner, however produced or reproduced, including but not limited to any writing, drawing, graph, chart, form, work paper, spreadsheet, email note, photograph, tape recording, computer disk or record, or other data compilation in any form without limitation. You shall produce the original and each copy, regardless of origin or location, of any document, including but not limited to any book, pamphlet, periodical,

publication, letter, correspondence, note, report, survey, summary, draft, work paper, memorandum (including memoranda, note or report of a meeting or conversation), projection, comparison, evaluation, telephone call records, transcripts, witness statements, minutes or statistical compilation, spreadsheet, photograph, videotape, audio tape, computer disk, other electronic record or tape or printout, e-mail or electronic email files, or any other written, typed, reported, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced, which is in your possession, custody or control. If any such document or thing was, but no longer is, in your possession or control, state what disposition was made of it and when.

If you produce documents in response to these discovery requests, produce the original of each document or, in the alternative, produce a copy of each original document and identify the location of the original document. If the original document is itself a copy, that copy should be produced as the original.

If a document exists in different versions, including any dissimilar copies (such as a duplicate with handwritten notes on one copy), each version shall be treated as a different document and each must be identified and produced.

As used herein, the terms “and” and “or” shall be construed conjunctively or disjunctively as necessary to include any information that might otherwise be construed outside the scope of these requests.

As used herein, the term “communication” means any transmission of information by oral, graphic, pictorial or otherwise perceptible means, including but not limited to personal conversations, telephone conversations, letters, memoranda, telegrams, electronic mail, newsletters, recorded or handwritten messages, or otherwise.

If you contend that you are entitled to refuse to fully answer any of the discovery requests, state the exact legal basis for each such refusal.

If any of the discovery requests are not answered on the basis of privilege or immunity, include in your response to each such request a written statement evidencing:

- a. A complete explanation of the privilege being asserted;
- b. The nature of the communication, document, or information;
- c. The date of the communication, document, or information;
- d. The identity of the persons present at such communication or who prepared the document or information; and
- e. A brief description of the communication, document, or information sufficient to allow the Authority to rule on a motion to compel.

If, for any reason, you are unable to answer a discovery request fully, submit as much information as is available and explain why your answer is incomplete. If precise information cannot be supplied, submit 1) your best estimate, so identified, and your basis for the estimate and 2) such information available to you as comes closest to providing the information requested. If you have reason to believe that other sources of more complete and accurate information exist, identify those sources.

“Identify” or “identifying” or “identification” when used herein with respect to any document means to provide a description of the document, including but not limited to the type of document (e.g., letter, memorandum, etc.), the date of the document, the title or label of the document, the identity of the person(s) who authored the document, was a recipient of the document, or possessed a copy of the document, and the current location of the document.

“Identify” or “identifying” or “identification” when used herein with respect to any person or

entity means without limitation the name of the person or entity and the current contact information (including but not limited to the daytime telephone number and address).

If any information requested is not furnished as requested, state where and how the information may be obtained or extracted, the person or persons having knowledge of the procedure, and the person instructing that the information be excluded.

CGC FIRST DISCOVERY REQUESTS TO CRMA

DISCOVERY REQUEST NO. 1:

On page 6 of his pre-filed testimony Mr. Klinger states: "McKee Foods would request that the TPUC inquire as to why the LNG supply is not being used for "interruptible customers" and instead is being diverted for "off-system" sales, where it appears the Chattanooga Gas Company's affiliate is profiting."

a. Identify the specific dates that Mr. Klinger alleges that Chattanooga Gas Company "diverted" LNG for off-system sales.

b. Provide copies of all documents in Mr. Klinger's possession that support the allegations.

Response:

DISCOVERY REQUEST NO. 2:

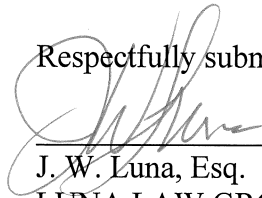
Mr. Klinger's states on page 7 of his testimony that: "Instead, Chattanooga Gas is selling gas to its unregulated affiliate who is profiting by selling to off-system customers."

a. Identify the date, the amount of gas, and the affiliate to which Mr. Klinger alleges Chattanooga Gas Company sold gas.

b. Provide copies of all documents in Mr. Klinger's possession that support the allegation.

Response:

Respectfully submitted,



J. W. Luna, Esq. (No. 5780)
LUNA LAW GROUP, PLLC
333 Union Street, Suite 300
Nashville, TN 37201
(615) 254-9146
(615) 254-7123 facsimile
jwluna@LunaLawNashville.com

and

Floyd R. Self, Esq. (PHV85597; Fla. Bar # 608025)
Berger Singerman LLP
313 North Monroe Street, Suite 301
Tallahassee, Florida 32301
Direct Telephone: (850) 521-6727
Facsimile: (850) 561-3013
Email: fself@bergersingerman.com

Attorneys for Chattanooga Gas Company

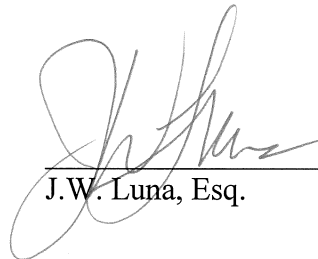
CERTIFICATE OF SERVICE

I hereby certify that on this 16th of July, 2018, a true and correct copy of the foregoing was served on the persons below by electronic mail:

Monica Smith-Ashford
Hearing Office
Tennessee Public Utility Commission
502 Deaderick Street 4th Floor
Nashville, TN 37243

Vance Broemel, Esq.
Wayne Irvin, Esq.
Daniel Whitaker, Esq.
Office of Tennessee Attorney General
UBS Building, 20th Floor
315 Deaderick Street, Nashville, Tennessee 37243

Henry Walker, Esq.
Bradley Arant Boult Cummings LLP
1600 Division Street, Suite 700
Nashville, TN 37203



J.W. Luna, Esq.