

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

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE</b>	)	
<b>WASTEWATER SYSTEMS, INC., TO</b>	)	<b>DOCKET NO. 18-00107</b>
<b>AMEND ITS CERTIFICATE OF</b>	)	
<b>CONVEIENCE AND NECESSITY</b>	)	

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**CONSUMER ADVOCATE'S SECOND DISCOVERY REQUEST  
TO TENNESSEE WASTEWATER SYSTEMS, INC.**

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This Second Discovery Request is hereby served upon Tennessee Wastewater Systems, Inc. (Company or TWS), 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 Advocate Unit 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, Financial Division, Consumer Advocate Unit, War Memorial Building, 301 6<sup>th</sup> Avenue North, Nashville, Tennessee 37243, c/o Karen H. Stachowski, on or before 2:00 p.m. (CDT), March 19, 2019.

**PRELIMINARY MATTERS AND DEFINITIONS**

These Additional Discovery Requests incorporate by reference the same Preliminary Matters and Definitions as set forth in the *Consumer Advocate's First Discovery Request to Tennessee Wastewater Systems, Inc.* sent to the Company on February 1, 2019<sup>1</sup>, and are to be considered continuing in nature, and are to be supplemented from time to time as information is

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<sup>1</sup> On February 8, 2019, the Company filed with TPUC its response to the *Consumer Advocate's First Discovery Request to Tennessee Wastewater Systems, Inc.*

received by the Company which would make a prior response inaccurate, incomplete, or incorrect.

### **FIRST DISCOVERY REQUESTS**

- 1-1. Refer to the Company's Response to TPUC DR No. 2-13. Specifically, refer to the statement of profit and loss for the year ending December 2018 page. Provide the Company's reasoning for booking \$205,250 in account 421 Non Utility Income, subaccount 421.5 Developer Income, when TPUC's Final Order in Docket No. 16-00139 held that developer income should be considered regulated revenue.<sup>2</sup>

### **RESPONSE:**

- 1-2. Please 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) Identify 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) Identify any matter in which the expert 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 identify the transcripts of any such testimony;

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<sup>2</sup> *Final Order Denying Petition, In Re: Petition of Tennessee Wastewater Systems, Inc. For Approval of Adjustment of Its Rates and New Tariff*, pg. 10-11 (November 2, 2017).

- (f) Identify the terms of the retention or engagement of each expert 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 expert; and
- (h) Please produce copies of all documents, summaries, charts, trade articles, journals, treatises, publications, work papers, 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 expert witness in evaluating, reaching conclusions or formulating an opinion in this matter.

**RESPONSE:**

- 1-3. Please identify all persons having knowledge of discoverable matters in this case.

**RESPONSE:**

- 1-4. Please produce copies of all documents referred to or relied upon in responding to these discovery requests.

**RESPONSE:**

- 1-5. Please produce copies of all hearing exhibits that you plan to introduce, use, or reference at the hearing on the merits in this docket.


**RESPONSE:**

- 1-6. Please 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 matter.

**RESPONSE:**

RESPECTFULLY SUBMITTED,

  
KAREN H. STACHOWSKI (BPR #019607)  
Assistant Attorney General  
Office of the Tennessee Attorney General  
Financial Division, Consumer Advocate Group  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-2370  
Karen.Stachowski@ag.tn.gov

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:

Jeff Riden  
General Counsel  
Tennessee Wastewater Systems, Inc.  
851 Aviation Parkway  
Smyrna, TN 37169  
(615) 220-7171  
Email: [jeff.riden@adenus.com](mailto:jeff.riden@adenus.com)

This the 4<sup>th</sup> day of March, 2019.

  
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KAREN H. STACHOWSKI