

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

August 8, 2019

IN RE:

PETITION OF TENNESSEE-AMERICAN WATER  
COMPANY REGARDING THE 2019 INVESTMENT AND  
RELATED EXPENSES UNDER THE QUALIFIED  
INFRASTRUCTURE INVESTMENT PROGRAM RIDER,  
THE ECONOMIC DEVELOPMENT INVESTMENT  
RIDER AND THE SAFETY AND ENVIRONMENTAL  
COMPLIANCE RIDER

DOCKET NO.  
18-00120

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PRE-HEARING ORDER

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Pursuant to Tenn. Code Ann. § 4-5-306(d) and Commission Rule 1220-1-2-.12, this matter is before the Hearing Officer to establish the orderly conduct of the Hearing in this matter. On August 7, 2019, the Hearing Officer held a telephone conference with the parties, Petitioner, Tennessee-American Water Company ("TAWC" or the "Company") and the Consumer Advocate Division in the Financial Unit of the Office of the Tennessee Attorney General ("Consumer Advocate"), an intervening party, to discuss the procedural aspects of the Hearing.

PROCEDURAL MATTERS

A. Notice of Hearing & Public Comment

The purpose of the Hearing is to consider TAWC's *Petition* regarding the 2019 investment and related expenses under the qualified infrastructure investment program rider, the economic development investment rider and the safety and environmental compliance rider, along with the proposed tariffs, filed on November 16, 2018. On August 2, 2019, a *Notice of Hearing* was issued notifying the public that the Hearing will be held during the Commission

Conference beginning at **1:00 p.m. CDT on Monday, August 12, 2019**. As was included in the notice, members of the public are encouraged to participate by filing written comments in the docket file and/or presenting verbal comments during the Hearing.

## **B. Opening Statements**

After any preliminary matters are considered, each party is permitted five (5) to seven (7) minutes to present an opening statement. TAWC will present its opening statement first, followed by the Consumer Advocate.

## **C. Witnesses**

During direct examination, a time limit has been established for each witness to summarize his/her pre-filed testimony. In addition, each witness should be advised that they remain subject to recall for rebuttal purposes and should remain available throughout the length of the proceedings. The witnesses and time limits are set forth below.

- TAWC will present the following three witnesses:
  1. Kurt Stafford, Engineering Manager for TAWC (10 minutes)
  2. Brent O'Neill, Director of Engineering for TAWC (10 minutes)
  3. Elaine Chambers, Director of Rates and Regulation for Tennessee and Kentucky, American Water Works Service Company (10 minutes)
- The Consumer Advocate will present one witness:
  1. David N. Dittmore, Financial Analyst (15 minutes)

## **D. Exhibits**

The parties should exchange any demonstrative exhibits related to a witness's pre-filed testimony in advance of the Hearing. Each party should have its own copy of all exhibits, including those appended to pre-filed testimony, available for reference during the Hearing, and

is responsible for supplying a sufficient number of copies of any exhibits that it intends to reference or discuss with a witness. A party should use its own judgment and discretion in determining the total number of copies to have on hand, but at a minimum, copies of an exhibit should be provided to the court reporter, each Commissioner, Legal Staff, and each Commission Division Director. Delaying or interrupting the proceedings to make copies is disfavored and, in the discretion of the panel, may not be permitted.

Further, the parties should inform the Hearing Officer of any requests or requirements for visual display aids and technology that might be needed during the hearing. So that appropriate arrangements may be made, all such requests and information should be provided via email to the Hearing Officer at [monica.smith-ashford@tn.gov](mailto:monica.smith-ashford@tn.gov) by **August 8, 2019**.

#### **E. Examination of Witnesses and Questions by the Commission**

While re-direct examination of a witness is allowed, the parties are reminded that it is to be limited to matters elicited during cross-examination that require clarification. It is not appropriate to raise new issues during re-direct examination. Re-cross examination is not permitted except in the event that a new issue is raised during the immediately preceding re-direct examination. The Commission's Advisory Staff has the opportunity to ask questions following cross-examination, before re-direct examination. The parties should be aware that the Commissioners might ask questions at any time during a witness's testimony and after cross-examination.

#### **F. Closing Statements**


Each party is permitted a maximum of fifteen (15) minutes to present a closing statement. The Consumer Advocate will present its closing statement first, followed by TAWC.

### **G. Summary Outline of Hearing**

For the convenience of the presiding panel and the parties, a *Procedural Outline of Hearing* has been provided as Attachment A to this Order.

### **IT IS SO ORDERED THAT:**

The Hearing scheduled to be held **on August 12, 2019**, during the Commission Conference beginning at **1:00 p.m. CDT** shall be conducted in accordance with the requirements and deadlines set forth in this Pre-Hearing Order unless otherwise ordered by the Chair or presiding Commissioner.

  
Monica Smith-Ashford, Hearing Officer



**TAWC witness #2**

**Brent O'Neill, Director of Engineering for TAWC**

- Oath Administered/Witness Sworn -

Summary of pre-filed testimony

Limited to 10 minutes

Cross-examination

Consumer Advocate

Questions

TPUC Commissioners and/or Advisory Staff

Re-direct examination

TAWC

Re-cross examination

(if requested & determined appropriate)

**TAWC witness #3**

**Elaine Chambers, Director of Rates and Regulation for Tennessee and Kentucky, American Water Works Service Company**

- Oath Administered/Witness Sworn -

Summary of pre-filed testimony

Limited to 10 minutes

Cross-examination

Consumer Advocate

Questions

TPUC Commissioners and/or Advisory Staff

Re-direct examination

TAWC

Re-cross examination

(if requested & determined appropriate)

**Consumer Advocate witness**

**David Dittmore, Financial Analyst**

- Oath Administered/Witness Sworn -

Summary of pre-filed testimony

Limited to 15 minutes

Cross-examination

TAWC

Questions

TPUC Commissioners and/or Advisory Staff

Re-direct examination

Consumer Advocate

Re-cross examination

(if requested & determined appropriate)

C. Closing Statements (15 minutes each):

1) Consumer Advocate

2) TAWC

D. Public Comment

E. Hearing Adjourned