

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

IN RE:)	
)	
APPLICATION OF TENNESSEE)	
WATER SERVICE, INC. FOR)	
ADJUSTMENT OF RATES AND)	DOCKET NO. 19-00028
CHARGES, AND)	
MODIFICATION TO CERTAIN)	
TERMS AND CONDITIONS FOR)	
THE PROVISION OF WATER)	
SERVICE)	

**TENNESSEE WATER SERVICE, INC.'S FIRST DISCOVERY REQUESTS TO
CONSUMER ADVOCATE**

Tennessee Water Service, Inc. ("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, hereby serves upon the Consumer Advocate Unit of the Attorney General's Office ("Consumer Advocate") the following discovery requests. TWS requests that full and complete responses be provided pursuant to the Tennessee Rules of Civil Procedure. The responses are to be produced at the Offices of Baker, Donelson, Bearman, Caldwell & Berkowitz at 633 Chestnut Street, Suite 1900, Chattanooga, Tennessee 37450 c/o Ryan A. Freeman, on or before 5:00 p.m. (EST), August 2, 2019.

PRELIMINARY MATTERS AND DEFINITIONS

1. **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.
2. **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 TWS 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.

3. **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.

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

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

(a) “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.

(b) “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.

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

(d) “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.

(e) “And” and “or” shall be construed conjunctively or disjunctively as necessary to make the discovery request inclusive rather than exclusive.

(f) “Including” shall be construed to mean including but not limited to.

FIRST DISCOVERY REQUESTS

1-1. Mr. Novak’s testimony, footnote #8 on page 7, describes the compound inflation rate used for purposes of computing projected attrition period expenses. Please explain the rationale for compounding the 3.3% annual inflation rate from the end of the Test Year to the middle of the Attrition Year, as opposed to the middle of the Test Year to the middle of the Attrition Year.

RESPONSE:

1-2. Did Mr. Novak consider operational and administrative changes for TWS, such as changes in cost allocation methodology or new office leases, that have occurred since the Wildfires in developing his revenue requirement in this proceeding? To what extent are such operational or administrative changes reflected in Mr. Novak's revenue requirement?

RESPONSE:

Respectfully submitted,

By: 
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Attorney for Tennessee Water Service, Inc.

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:

Wayne Irvin
Senior Assistant Attorney General
Financial Division, Consumer Advocate Unit
War Memorial Building, 2nd Floor
301 6th Avenue North
Nashville, Tennessee 37243
Wayne.Irvin@ag.tn.gov



Ryan Freeman