

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION**

**NASHVILLE, TENNESSEE**

**October 4, 2019**

**IN RE:**

<b>PETITION OF TENNESSEE WATER SERVICE, INC.</b>	)	
<b>FOR ADJUSTMENT OF RATES AND CHARGES,</b>	)	
<b>APPROVAL OF A QUALIFIED INFRASTRUCTURE</b>	)	<b>DOCKET NO.</b>
<b>INVESTMENT PROGRAM, AND MODIFICATION TO</b>	)	<b>19-00028</b>
<b>CERTAIN TERMS AND CONDITIONS FOR THE</b>	)	
<b>PROVISION OF WATER SERVICE</b>	)	

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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 came before the Hearing Officer of the Tennessee Public Utility Commission (“Commission” or “TPUC”) at a Pre-Hearing Conference held via teleconference on October 3, 2019. The Pre-Hearing Conference was held to establish the orderly conduct of the Supplemental Hearing to determine the extent of regulatory liability of Tennessee Water Service, Inc. (“TWS”) scheduled during the Commission Conference to be held at 1:00 p.m. (CDT) on Monday, October 14 2019. TWS and the Consumer Advocate Unit in the Financial Division of the Office of the Tennessee Attorney General (“Consumer Advocate”), the parties in this matter, participated in the Pre-Hearing Conference.

**I. PROCEDURAL MATTERS**

The following order of the Hearing has been established and agreed upon:

**A. NOTICE OF HEARING & PUBLIC COMMENT**

On October 4, 2019, a *Notice of Hearing* was issued notifying the public that a Hearing

will be held during the Commission Conference scheduled to begin at **1:00 p.m. (CDT) on Monday, October 14, 2019**. 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 may present opening statements. TWS will present its opening statement first, followed by the Consumer Advocate. The parties will have a maximum of ten (10) minutes each to present opening statements.

#### **C. EXHIBITS & DOCUMENTS**

The parties should exchange any demonstrative exhibits related to a witness's pre-filed testimony before that witness appears on the stand. 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 on the panel, Legal Staff, and the Utilities Division Director.

#### **D. TECHNOLOGICAL AND OTHER SPECIAL REQUESTS**

The parties informed the Hearing Officer that provisions for visual display aids and technology are not necessary for the Hearing.

#### **E. WITNESSES**

TWS will call its witnesses in the following order: 1) Dante DeStefano; 2) J. Bryce Mendenhall. Each witness will have ten (10) minutes to summarize his testimony and will then be available for cross-examination by the Consumer Advocate. The Consumer Advocate will

then present its witness, William H. Novak. Mr. Novak will have ten (10) minutes to present a summary of his testimony and will then be subject to cross-examination by TWS.

#### **F. EXAMINATION OF WITNESSES AND QUESTIONS BY THE COMMISSION**

While re-direct examination of a witness is allowed, the parties are reminded to limit questions on re-direct to matters elicited during cross-examination that require clarification. It is not appropriate to raise new issues during redirect examination. Recross-examination is not permitted except in the event that a new issue is raised during the immediately preceding re-direct examination. The Commission 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, as well as following cross-examination.

#### **G. CLOSING ARGUMENTS**

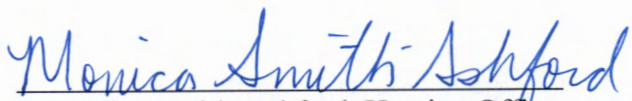
The parties will have ten (10) minutes each to present closing arguments. The Consumer Advocate will present its closing argument first followed by TWS.

#### **H. PRELIMINARY MATTERS/MOTIONS**

The parties should make the Hearing Officer aware of any preliminary matters as soon as possible in advance of the Hearing.

#### **IT IS THEREFORE ORDERED THAT:**

The Hearing scheduled during the Commission Conference scheduled to begin at **1:00 p.m. (CDT) on Monday, October 14, 2019**, shall be conducted in accordance with this Pre-Hearing Order unless otherwise ordered by the Chair/Presiding Commissioner.

  
Monica Smith-Ashford, Hearing Officer