

March 13, 2020

**VIA ELECTRONIC FILING**

TPUC.DocketRoom@tn.gov

Hon. Robin L. Morrison, Chairman  
c/o Ectory Lawless, Docket Room Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243

**RE: *Petition of Tennessee-American Water Company Regarding The Production Costs and Other Pass-Throughs Rider*, TPUC Docket No. 20-00008**

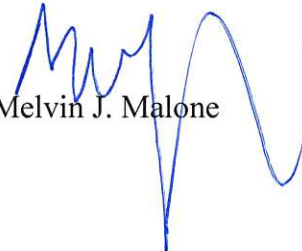
Dear Chairman Morrison:

Attached for filing please find *Tennessee American Water Company's Responses to Second Discovery Requests of the Consumer Advocate* in the above-captioned matter.

As required, an original of this filing, along with four (4) hard copies, will follow. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw

Attachments

cc: Elaine Chambers, TAWC

Karen H. Stachowski, Assistant Attorney General, Financial Division, Consumer Advocate Unit  
Daniel P. Whitaker III, Assistant Attorney General, Financial Division, Consumer Advocate Unit

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE

PETITION OF TENNESSEE-AMERICAN )  
WATER COMPANY REGARDING THE )  
PRODUCTION COSTS AND OTHER )  
PASS-THROUGHS RIDER )

DOCKET NO. 20-00008

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TENNESSEE-AMERICAN WATER COMPANY'S RESPONSES  
TO SECOND DISCOVERY REQUESTS OF  
THE CONSUMER ADVOCATE

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Tennessee-American Water Company ("TAWC"), by and through counsel, hereby submits its Responses to the Second Discovery Requests propounded by the Consumer Advocate Unit in the Financial Division of the Attorney General's Office ("Consumer Advocate").

**GENERAL OBJECTIONS**

1. TAWC objects to all requests that seek information protected by the attorney-client privilege, the work-product doctrine and/or any other applicable privilege or restriction on disclosure.

2. TAWC objects to the definitions and instructions accompanying the requests to the extent the definitions and instructions contradict, are inconsistent with, or impose any obligations beyond those required by applicable provisions of the Tennessee Rules of Civil Procedure or the rules, regulations, or orders of the Tennessee Public Utility Commission ("TPUC" or "Authority").

3. The specific responses set forth below are based on information now available to TAWC, and TAWC reserves the right at any time to revise, correct, add to or clarify the objections or responses and supplement the information produced.

4. TAWC objects to each request to the extent that it is unreasonably cumulative or duplicative, speculative, unduly burdensome, irrelevant or seeks information obtainable from some other source that is more convenient, less burdensome or less expensive.

5. TAWC objects to each request to the extent it seeks information outside TAWC's custody or control.

6. TAWC's decision, now or in the future, to provide information or documents notwithstanding the objectionable nature of any of the definitions or instructions, or the requests themselves, should not be construed as: (a) a stipulation that the material is relevant or admissible, (b) a waiver of TAWC's General Objections or the objections asserted in response to specific discovery requests, or (c) an agreement that requests for similar information will be treated in a similar manner.

7. TAWC objects to those requests that seek the identification of "any" or "all" documents or witnesses (or similar language) related to a particular subject matter on the grounds that they are overbroad and unduly burdensome, and exceed the scope of permissible discovery.

8. TAWC objects to those requests that constitute a "fishing expedition," seeking information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence and is not limited to this matter.

9. TAWC does not waive any previously submitted objections to the Consumer Advocate's discovery requests.

**TENNESSEE AMERICAN WATER COMPANY**  
**DOCKET NO. 20-00008**  
**SECOND DISCOVERY REQUEST OF THE**  
**CONSUMER ADVOCATE AND PROTECTION DIVISION**

**Responsible Witness: Elaine Chambers**

**Question:**

2-1. Refer to the Company's Response to the Consumer Advocate's (CA) DR No. 1-9, Attachment, pp. 1-2. On page 1 under the section *Energy & Water Gross Receipts IN TENNESSEE*, the Company has the amount of \$1,109,918.00 in the line for *Miscellaneous*. However, on page 2 the amount of \$1,109,918.00 is now located in the line for *Wastewater Revenues*. Explain the amount \$1,109,918.00 located in the lines for *Miscellaneous* and *Wastewater Revenues* on pp. 1-2 of the Attachment.

**Response:**

2-1. Please refer to pages 3 and 4 of the attachment provided in the response to Consumer Advocate's (CA) DR No. 1-9. The other revenues of \$1,170,555 represents amounts recorded for fees pertaining to late payments, rent, returned checks, activity & new service, reconnection, usage data and other. Of the \$1,170,555, \$1,109,918 was determined to be related to gross receipts in the state of Tennessee. The amount on page 2 of the attachment for \$1,109,918 should have been presented on the "miscellaneous" line as displayed on page 1. This slight error on classification was overlooked for the filing.



**TENNESSEE AMERICAN WATER COMPANY**  
**DOCKET NO. 20-00008**  
**SECOND DISCOVERY REQUEST OF THE**  
**CONSUMER ADVOCATE AND PROTECTION DIVISION**

**Responsible Witness: Elaine Chambers**

**Question:**

2-2. Refer to the Company's Response to CA DR No. 1-3 and its Attachment. In its Response, the Company states that the "accounted for non-revenue water amounts have been removed from this calculation as these amounts generally fall under water losses." In the Attachment, the Company provides the details of the *Accounted for Non-Revenue Water* to include *Identified Leaks, Hydrant Inspections, Hydrant/Main Flushing, Fire Usage, and Inactive Customer Account Usage*. Refer to the American Water Works Association's (AWWA) *Best Practice in Water Loss Control: Improved Concepts for 21st Century Water Management*. A copy of this AWWA document is attached as CA Exhibit 2-2. In the IWA/AWWA Water Balance Table on page 2 of Exhibit CA No. 2-2, Non-revenue Water includes three classifications: Unbilled Authorized Consumption, Apparent Losses, and Real Losses. In classifying the Company's five types of Non-revenue Water under the AWWA's Water Balance Table, confirm or correct the following:

- a. Identified Leaks are Real Losses.
- b. Hydrant Inspections are Unbilled Authorized Consumption.
- c. Hydrant/Main Flushing is Unbilled Authorized Consumption.
- d. Fire Usage is Unbilled Authorized Consumption.
- e. Inactive Customer Accounts are Apparent Losses.

**Response:**

- 2-2. Yes. The Company confirms the classifications in a. through e. above. About 97% of the accounted for lost water amounts provided in the response to CA DR No.1-3 are related to water losses.

STATE OF Kentucky )  
COUNTY OF Fayette )

BEFORE ME, the undersigned, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Elaine Chambers, being by me first duly sworn deposed and said that:

She is appearing as a witness on behalf of Tennessee-American Water Company before the Tennessee Public Utility Commission, and duly sworn, verifies that the data requests and discovery responses are accurate to the best of her knowledge.

Elaine Chambers  
Elaine Chambers

Sworn to and subscribed before me  
this 12<sup>th</sup> day of March, 2020.

Sharon Miller  
Notary Public

My Commission expires: 7/25/2020

## **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:

Daniel P. Whitaker III  
Karen H. Stachowski  
Assistant Attorney Generals  
Economic and Regulatory Section  
Financial Division, Consumer Advocate Unit  
Office of the Tennessee Attorney General  
War Memorial Building, 2nd Floor  
301 6th Avenue North  
Nashville, TN 37243  
[Daniel.Whitaker@ag.tn.gov](mailto:Daniel.Whitaker@ag.tn.gov)  
[Karen.Stachowski@ag.tn.gov](mailto:Karen.Stachowski@ag.tn.gov)

This the 13<sup>th</sup> day of March, 2020.



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Melvin J. Malone