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June 9, 2021

VIA ELECTRONIC FILING

Hon. Kenneth C. Hill, Chairman
c/o Ectory Lawless, Docket Room Manager
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243
TPUC.DocketRoom@tn.gov

RE: *Petition of Tennessee-American Water Company in Support of the Calculation of the 2021 Capital Recovery Riders Reconciliation*
TPUC Docket No. 21-00030

Dear Chairman Hill:

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

As required, one (1) hard copy of this filing will be mailed to your office. 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: Todd Wright, TAWC
Rachel Bowen, Consumer Advocate Unit
Vance Broemel, Consumer Advocate Unit

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BUTLER SNOW LLP

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

**PETITION OF TENNESSEE-AMERICAN)
WATER COMPANY REGARDING)
CHANGES TO THE QUALIFIED)
INFRASTRUCTURE INVESTMENT)
PROGRAM RIDER, THE ECONOMIC)
DEVELOPMENT INVESTMENT RIDER,)
AND THE SAFETY AND)
ENVIRONMENTAL COMPLIANCE)
RIDER AND IN SUPPORT OF THE)
CALCULATION OF THE 2021 CAPITAL)
RECOVERY RIDERS RECONCILIATION)**

DOCKET NO. 21-00030

**TENNESSEE-AMERICAN WATER COMPANY’S RESPONSES
TO THIRD DISCOVERY REQUESTS OF THE CONSUMER ADVOCATE**

Tennessee-American Water Company (“TAWC”), by and through counsel, hereby submits its Responses to the Third 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. 21-00030
THIRD DISCOVERY REQUEST OF THE
CONSUMER ADVOCATE UNIT**

Responsible Witness: Todd P. Wright

Question:

3-1 Please provide the rationale and support for incorporating the PCOP error correction within the capital rider calculation

Response:

While there is more than one approach the Company could have employed to address the billing issue related to credits to departing private fire customers, TAWC determined that the approach set forth in the Supplemental Testimony of Todd Wright was the more transparent, efficient, and easily trackable method. Among other things, incorporating the correction to the PCOP here, along with the correction for the Capital Recovery Riders, results in a single place for any follow-up or verification.

Additionally, the same departing private fire customers that received the credits in excess for the capital riders also received the PCOP amounts in excess. Both rider mechanisms utilize a similar billing methodology.

Responsible Witness: Todd P. Wright

Question:

3-2 Has the Company issued (or does it intend to issue) corrected bills to address the issue identified in response to Consumer Advocate request 2-2? If so, indicate how far back the Company intends to go in the rebill calculation and explain how such treatment is consistent with the Company's tariff.

Response:

No. The company is electing to forego the rebilling of these customers for the credits received in excess. Both the complexity of retrieving the funds from non-active customers as well as the tariff limiting the time period that could be rebilled were factored into this decision.

In the Supplemental Testimony of Todd Wright, the Company indicated that the billing issue has been resolved prospectively and that TAWC is including a one-time adjustment in its filing to hold all other customers harmless from its impact.

STATE OF NEW JERSEY

COUNTY OF CAMDEN

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

He 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 his knowledge.

Todd P Wright

Todd P. Wright

Sworn to and subscribed before me
this 20th day of May 2021.

Ann G. Alfano

Commission # 50014130

Notary Public

My Commission expires: 04/15/2025

CERTIFICATE OF SERVICE

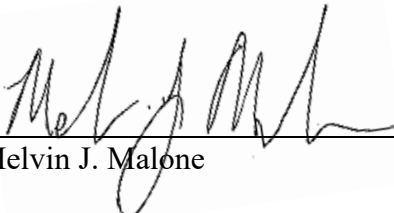
I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Rachel C. Bowen
Counsel for the Consumer Advocate Unit
rachel.bowen@ag.tn.gov

Vance L. Broemel
Senior Assistant Attorney General
vance.broemel@ag.tn.gov

Office of the Tennessee Attorney General
Financial Division, Consumer Advocate Unit
P.O. Box 20207
Nashville, TN 37202-0207

This the 9th day of June, 2021.



Melvin J. Malone