

April 14, 2022

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Room on April 14, 2022 at 11:45 a.m.

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: *In Re: Petition of Tennessee-American Water Company Regarding The 2022
Production Costs and Other Pass-Throughs Rider, TPUC Docket No. 22-00005***

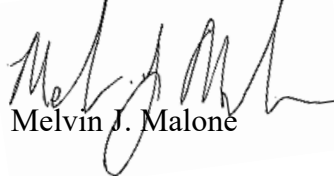
Dear Chairman Hill:

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, 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: Tricia Sinopole, TAWC
Karen Stachowski, Consumer Advocate Unit
Vance Broemel, Consumer Advocate Unit

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

IN RE:

**PETITION OF TENNESSEE-AMERICAN
WATER COMPANY REGARDING THE
2022 PRODUCTION COSTS AND OTHER
PASS-THROUGHS RIDER**

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DOCKET NO. 22-00005

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

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. 22-00005
SECOND DISCOVERY REQUEST OF THE
CONSUMER ADVOCATE**

Responsible Witness: Tricia Sinopole

Question:

- 2-1.** Refer to the Company's Response to Consumer Advocate's DR No. 1-2. In its response, the Company stated, "The purchased water and power expense for 2019 is an estimate based on TAWC 2021 actuals amounts, as described on page 15, lines 1 to 12 in the Direct Testimony of Tricia N. Sinopole." This response failed to answer the question presented to the Company in DR No. 1-2, below:

Confirm that the values for purchased water and power expenses for 2019 can be sourced from two confidential documents filed by the Company with the Commission: (1) the Direct Testimony of Tricia N. Sinopole, <TAW_EXH_TNS_1_011422.xlsx> and (2) the Company's Response to Consumer Advocate DR No. 1-17, File <CONFIDENTIAL -1-17 Attachment.xlsx> in TPUC Docket No. 20-00011.

Response:

TAWC does agree that the values for purchased water and power expenses for 2019 are within the Company's response to Consumer Advocate DR No. 1-17, File <CONFIDENTIAL – 1-17 Attachment.xlsx> in TPUC Docket No. 20-00011. It appears there are two accounts within the file that tie to purchased water and power expenses in 2019. They are:

- Account 5004 – Pump House Utilities with invoices from Sequachee Valley Electric Coop totaling \$17,439.00 in 2019, which TAWC believes are power expenses.
- Account 5002 – Water Usage Expense with invoices from Marion Natural Gas System totaling \$57,044.54 in 2019, which TAWC believes are purchased water expenses.

The above referenced accounts related to purchased water and power expenses total \$74,483.54 for 2019.

**TENNESSEE AMERICAN WATER COMPANY
DOCKET NO. 22-00005
SECOND DISCOVERY REQUEST OF THE
CONSUMER ADVOCATE**

Responsible Witness: Tricia Sinopole

Question:

- 2-2.** Refer to the Company's Response to Consumer Advocate's DR No. 1-2 and the Direct Testimony of Tricia N. Sinopole at 15:1-12. Explain in detail why the Company has estimated the purchase water and power expenses for 2019 based upon TAWC 2021 actuals when the 2019 actual purchased water and power expenses can be sourced from two confidential documents filed by the Company with the Commission.

Response:

Prior to the submission of DR No. 1-2, the TAWC Responsible Witness for the Company's Response to Consumer Advocate's DR No. 1-2 was not aware of the referenced File and did not previously have access to the referenced File <CONFIDENTIAL – 1-17 Attachment>. After receiving CAPD DR No. 2-1, the TAWC Responsible Witness inquired about the file and was able to access it. Please see the response to TAW_R_CAPDDR2_001_041822, where TAWC does agree that the actual purchased water and power expenses for Jasper Highlands can be derived from the Confidential file for 2015 to 2019.

The Company has experienced some turnover since the conclusion of TPUC Docket No. 20-00011. Based upon the best available information the witness was aware of or had access to at the time of the filing of the Petition, using an estimated amount for 2016 to 2019 based on TAWC 2021 actuals for purchased water and power expenses was a prudent, reasonable and customary methodology to ensure base rate cost of production costs and other pass-throughs were included in the filing for Jasper Highlands.

STATE OF Tennessee)
)
COUNTY OF Hamilton)

BEFORE ME, the undersigned, duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared Tricia Sinopole, 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.

Tricia Sinopole
Tricia Sinopole

Sworn to and subscribed before me
this 13th day of April, 2022.

Kathryn Robinson
Notary Public

My Commission Expires: 10/20/2024



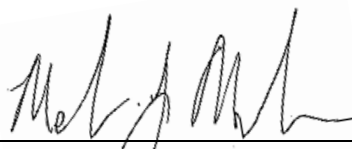
CERTIFICATE OF SERVICE

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

Karen H. Stachowski, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Financial Division, Consumer Advocate Unit
P.O. Box 20207
Nashville, TN 37202-0207
Karen.Stachowski@ag.tn.gov

Vance L. Broemel, Esq.
Senior Assistant Attorney General
Office of the Tennessee Attorney General
Financial Division, Consumer Advocate Unit
P.O. Box 20207
Nashville, TN 37202-0207
Vance.Broemel@ag.tn.gov

This the 14th day of April 2022.



Melvin J. Malone