

March 12, 2024

VIA ELECTRONIC FILING

Electronically Filed in TPUC Docket
Room on March 12, 2024 at 12:10 p.m.

Hon. Herbert H. Hilliard, 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 Regarding The 2024 Production Costs and Other Pass-Throughs Rider*, TPUC Docket No. 24-00002

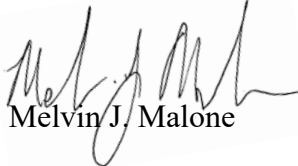
Dear Chairman Hilliard:

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, the original plus four (4) hard copies 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: Bob Lane, TAWC

Victoria Glover, Consumer Advocate Division

Alex Bradley, Consumer Advocate Division

IN RE:)
)
PETITION OF TENNESSEE-AMERICAN)
WATER COMPANY REGARDING THE) **DOCKET NO. 24-00002**
2024 PRODUCTION COSTS AND OTHER)
PASS-THROUGHS RIDER)

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

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. 24-00002
SECOND DISCOVERY REQUEST OF THE
CONSUMER ADVOCATE DIVISION**

Responsible Witness: Grady Stout

Question:

2-1. Source & Support. Refer to the < TAWC Attachment 1-3_NRW_Data > spreadsheet filed with the Company's Response to Consumer Advocate DR No. 1-3, specifically cells "C14", "D22", and "E22".

- a. Has the Company determined the cause(s) of the large rise(s) in identified leaks in non-revenue water represented in these cells?
- b. If yes, provide a brief narrative explanation of the causes(s) of the increases along with any actions the Company has taken to remediate the causes(s).
- c. If no, provide a brief explanation of the Company's reasoning for declining to explore the large increase in identified leaks in non-revenue water incurred during these dates.

Response:

- A. Yes, the company has determined the cause for the rise in identified leaks represented in cells C14, D22, and E22.
- B. C14: There are two issues that contributed to the gallons shown in C14. The first being a rounding error of converting 100 gallons to 1000 gallons in the spreadsheet submitted for DR1-3. The correct number for C14 should be 139,220,000.

The second issue that resulted in January being the highest month came down to two leaks. Both leaks appeared to be minor in nature (not surfacing) but when fully excavated the Company realized they were more substantial. The 1st leak (a circular break on 6" Cast Iron, installed in 1924, WO ID# 1091768) was first reported on 1/6/23 and repairs were completed on 1/23/23. This resulted in 13,561,920 estimated gallons. The second leak (a circular break on 6" cast iron installed in 1975, WO ID# 1085558) was first reported 12/24/22 and repairs were completed on 1/24/23 resulting in 19,146,240 estimated gallons.

D22 & E22: The rise in these months in the Company's Whitwell District was the result of a leak (approximate 6-foot split on 2" SCH 30 (Thin-Wall) PVC Pipe, WO ID# 1116733) that was not surfacing and appeared to be a service line leak. After excavation, the soil conditions proved rocky and extra work (including the installation of multiple valves) was needed to pinpoint the leak. The leak was flowing at an estimated 161 gpm. The leak was reported on 2/16/23 and repairs were completed on 3/17/23, resulting in 6,735,312 estimated gallons.

**TENNESSEE AMERICAN WATER COMPANY
DOCKET NO. 24-00002
SECOND DISCOVERY REQUEST OF THE
CONSUMER ADVOCATE DIVISION**

Responsible Witness: Grady Stout

Question:

2-2. Source & Support. Refer to the < TAWC Attachment 1-3_NRW_Data > spreadsheet filed with the Company's Response to Consumer Advocate DR No. 1-3, specifically cell "C6".

- a. Has the Company determined the cause(s) of the large rise in inactive customer account usage in non-revenue water represented for Jan-23?
- b. If yes, provide a brief narrative explanation of the causes(s) of the increase.
- c. If no, provide a brief explanation of the Company's reasoning for declining to explore the large increase in inactive customer account usage during Jan-23.

Response:

- A. Yes, the Company has determined the cause of the large rise in inactive customer account usage in non-revenue water represented for Jan-23.
- B. The cause of the increase is attributed to a single residential account. The account was shut off by the Company. The customer then illegally reinstalled the meter but did so backwards. This resulted in a meter reading in January that created a 9,918,900 gallons error in January. See meter read chart below.

<u>Date of Meter Read</u>	<u>Dial Reading in Hundreds of Gallons</u>
07/12/2022	517
08/09/2022	570
09/12/2022	642
10/11/2022 – Date of shut off	692
11/09/2022 – first reading after Customer illegally put the meter in backwards	609
12/09/2022	308
01/10/2023	99,497
02/08/2023	98,588
03/09/2023	97,666

04/11/2023	97,613
05/09/2023	97,561
06/08/2023	97,549
07/11/2023	97,549
08/10/2023	97,549
09/11/2023	97,549
10/10/2023	97,549
11/08/2023	97,549
12/08/2023	97,549


The actual metered usage between 12/9/22 and 1/10/23 was 81,100 gallons but was reported as 9,918,900 gallons and cell "C6" can be adjusted by this amount (other cells could receive similar adjustments but of a much smaller magnitude).

STATE OF TN)

COUNTY OF Hamilton

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



Grady Stout

Sworn to and subscribed before me
this 12th day of March, 2024.



Notary Public

My Commission expires: 09/16/2026



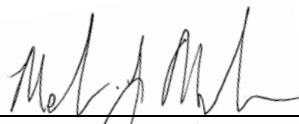
CERTIFICATE OF SERVICE

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

Victoria Glover, Esq.
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Victoria.Glover@ag.tn.gov

Alex Bradley, Esq.
Assistant Attorney General
Office of the Tennessee Attorney General
Consumer Advocate Division
P.O. Box 20207
Nashville, TN 37202-0207
Alex.Bradley@ag.tn.gov

This the 12th day of March 2024.



Melvin J. Malone