

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

November 20, 2024

IN RE:	)	
	)	
PETITION OF TENNESSEE-AMERICAN WATER	)	DOCKET NO.
COMPANY TO MODIFY TARIFF, CHANGE AND	)	24-00032
INCREASE CHARGES, FEES, AND RATES, AND FOR	)	
APPROVAL OF A GENERAL RATE INCREASE	)	

---

ORDER GRANTING UWUA WITNESS ELECTRONIC PARTICIPATION IN HEARING

---

This matter is before the Administrative Judge upon the *Motion to Appear and Participate at Hearing Electronically* (“*Motion*”) filed by the Utility Workers Union of America, AFL-CIO and UWUA Local 121 (together “UWUA”) on November 19, 2024. In its *Motion*, the UWUA seeks permission for its witness, Shawn Garvey, to participate electronically in the hearing in the above-captioned matter. The UWUA requests that its witness be allowed to testify electronically because the hearing has progressed faster than expected, and Mr. Garvey, who lives out of state, will not be able to travel to Nashville in time to testify.

Under the Tennessee Uniform Administrative Procedures Act, decisions involving electronic participation in a hearing are within the Administrative Judge’s discretion:

(c) In the discretion of the administrative judge or hearing officer and agency members and by agreement of the parties, all or part of the hearing may be conducted by telephone, television or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceedings while taking place.<sup>1</sup>

In accordance with the above-referenced statute and considering that the unexpected rapid pace of the hearing has created some scheduling difficulties, the Administrative Judge grants the

---

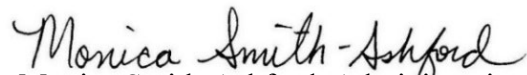
<sup>1</sup> Tenn. Code Ann § 4-5-312(c).

UWUA's *Motion*, subject to compliance with the following conditions:

1. The UWUA's attorney shall appear personally at the hearing to present and facilitate questioning of the witness.
2. The UWUA's attorney shall provide the Administrative Judge with the witness's correct email address so that the WebEx video link can be emailed to the witness prior to the hearing.
3. The witness should join the WebEx videoconference link at least five (5) minutes before the witness is scheduled to provide testimony, turn the camera off, and mute the microphone until called to testify.
4. The witness shall have the technological resources to access the WebEx videoconferencing platform so that the witness can be seen and heard clearly via the provided WebEx link for the hearing.
5. If the witness is unable to comply with these conditions or technological difficulties prevents the use of the WebEx videoconferencing platform for the witness testimony during the hearing, the witness's testimony may have to be postponed.

**IT IS THEREFORE ORDERED THAT:**

1. Subject to the conditions set forth in this Order, the Utility Workers Union of America, AFL-CIO and UWUA Local 121's witness may appear and participate electronically in the hearing in TPUC Docket No. 24-00032.
2. To avoid disruption of the proceedings, persons authorized to participate electronically shall join the WebEx videoconferencing link at least **five (5) minutes before the time for the witness to testify**.

  
Monica Smith-Ashford, Administrative Judge