

# BUTLER | SNOW

February 6, 2026

Electronically Filed in TPUC Docket  
Room on February 6, 2026 at 2:57 p.m.

## VIA ELECTRONIC FILING

Hon. David Jones, Chairman  
c/o Ectory Lawless, Docket Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243  
[TPUC.DocketRoom@tn.gov](mailto:TPUC.DocketRoom@tn.gov)

**RE: *Petition of Tennessee-American Water Company to Adopt Annual Review Mechanism and ARM Tariff Pursuant to Tenn. Code Ann. § 65-5-103(d)(6), Docket No. 25-00089***

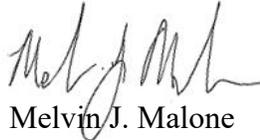
Dear Chairman Jones:

Attached for filing please find *Tennessee-American Water Company's Discovery Requests to the Consumer Advocate Division*.

As required, 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

Attachment

cc: Bob Lane, TAWC  
Shilina Brown, Consumer Advocate Division  
Phillip Noblett, City of Chattanooga  
Frederick Hitchcock, City of Chattanooga

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BUTLER SNOW LLP

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

<b>IN RE:</b>	)	
	)	
<b>PETITION OF TENNESSEE-</b>	)	
<b>AMERICAN WATER COMPANY TO</b>	)	
<b>ADOPT ANNUAL REVIEW</b>	)	<b>DOCKET NO. 25-00089</b>
<b>MECHANISM AND ARM TARIFF</b>	)	
<b>PURSUANT TO TENN. CODE ANN.</b>	)	
<b>§ 65-5-103(d)(6)</b>	)	

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**TENNESSEE-AMERICAN WATER COMPANY’S  
DISCOVERY REQUESTS TO THE CONSUMER ADVOCATE DIVISION**

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Tennessee-American Water Company (“TAWC”) respectfully submits the following discovery requests to the Consumer Advocate Division of the Tennessee Attorney General’s Office (“CAD” or “Consumer Advocate”). Pursuant to the Order Establishing Procedural Schedule, the responses are to be produced at the office of the undersigned counsel, Melvin Malone, at Butler Snow LLP, 1320 Adams Street, Suite 1400, Nashville, Tennessee 37208, on February 12, 2026.

**Instructions**

As used herein, “Documents” include all correspondence, memoranda, notes, e-mail, maps, drawings, surveys or other written or recorded materials, whether external or internal, of every kind or description in the possession of or accessible to the CAD, its witnesses or counsel.

A. Please identify by name, title, position, and responsibility the person or persons answering each of these discovery requests for information.

B. These requests shall be deemed continuing so as to require further and supplemental responses if the CAD receives or generates additional information within the scope of these requests between the time of the response and the time of any hearing conducted herein.

C. To the extent that the specific document, workpaper or information as requested does not exist, but a similar document, workpaper or information does exist, provide the similar document, workpaper or information.

D. To the extent that any request may be answered by way of a computer printout, spreadsheet, or other form of electronic media, please identify each variable contained in the document or file which would not be self-evident to a person not familiar with the document or file.

E. If the CAD has objections to any request on the grounds that the requested information is proprietary in nature, or for any other reason, please notify the undersigned counsel for TAWC as soon as possible.

F. For any document withheld on the ground of privilege, state the following: date; author; addressee; indicated or blind copies; all persons to whom distributed, shown, or explained; and the nature and legal basis for the privilege asserted.

G. In the event any document requested has been destroyed or transferred beyond the control of the CAD or any of its witnesses, state: the identity of the person by whom it was destroyed or transferred and the person authorizing the destruction or transfer; the time, place and method of destruction or transfer; and the reason(s) for its destruction or transfer. If destroyed or transferred by reason of a document retention policy, describe in detail the document retention policy.

H. If a document responsive to a request is a matter of public record, please produce a copy of the document rather than refer TAWC to the record where the document is located.

**DISCOVERY REQUEST NO. 1:**

At 19:8-9 of CAD Witness Clark D. Kaml's Pre-filed Testimony, Mr. Kaml testifies that "The level of equity financed should be capped at the percent authorized in the last rate case proceeding."<sup>1</sup>

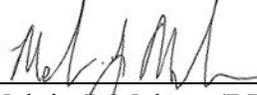
- (a) Please explain or clarify what is meant by "The level of equity financed should be capped at the percent authorized in the last rate case proceeding."
- (b) Does Mr. Kaml's recommendation that "The level of equity financed should be capped at the percent authorized in the last rate case proceeding[]" include or allow symmetrical outcomes, such that the required Rate of Return could increase or decrease from the level authorized by TPUC in Docket No. 24-00032 due to changes in the percentage of equity capital structure?
- (c) If under Mr. Kaml's recommendation that "The level of equity financed should be capped at the percent authorized in the last rate case proceeding[]" the Rate of Return can only decrease below the level authorized in TPUC Docket No. 24-00032 due to changes in percentage of equity capital structure, please explain how this recommendation or proposal is just and reasonable?

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<sup>1</sup> *Pre-filed Testimony of CAD Witness Clark D. Kaml*, 19:8-9, TPUC Docket No. 25-00089 (Feb. 3, 2026).

**RESPONSE:**

RESPECTFULLY SUBMITTED,



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Melvin J. Malone (BPR #013874)

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*Attorneys for Tennessee-American Water Company*

CERTIFICATE OF SERVICE

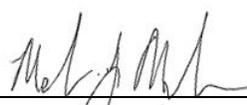
I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

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Consumer Advocate Division  
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This the 6<sup>th</sup> day of February 2026.

  
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Melvin Malone