

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Atmos Energy	)	
Corporation's 2008-2009 Purchased Gas	)	Case No. GR-2009-0417
Adjustment and Actual Cost Adjustment	)	

**PUBLIC COUNSEL'S  
POSITION STATEMENT**

**COMES NOW** the Missouri Office of the Public Counsel (OPC) and for its Position Statement on the issues identified in the Joint Issues List states:

**Issue 1:** Were the rates Atmos charged for natural gas during the 2008-2009 ACA period just and reasonable?

**OPC Position:** No. OPC supports the Staff's Position Statement filed in this case. It is imprudent for Atmos to make gas purchases that force ratepayers to pay for additional profits for Atmos/AEM through the PGA. Allowing profits on gas costs would harm ratepayers and would put in question the entire PGA method of recovering gas costs. Atmos bears the burden of proving that the PGA rates it charged its Missouri customers were just and reasonable. Atmos has not provided the cost data Atmos is required to keep under the Commission's rules, and therefore has not overcome the challenges raised by the Staff as to the prudence of Atmos' gas purchases and gas rates.

**Issue 2:** What, if any, ACA adjustments should the Commission order for the 2008-2009 ACA period?

**OPC Position:** The Commission should order the ACA adjustments recommended by the Commission's Staff.

WHEREFORE, the Office of the Public Counsel respectfully offers this Position Statement.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 26<sup>th</sup> day of July 2011.

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