

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

In the Matter of the Joint Application of Atmos Energy Corporation and Liberty Energy (Midstates) Corp. for Authority to Sell Certain Missouri Assets to Liberty Energy (Midstates) Corp. and, in Connection Therewith, Certain Other Related Transactions. )  
)  
) **File No. GM-2012-0037**  
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**ORDER APPROVING JOINT PROPOSED PROCEDURAL SCHEDULE**

Issue Date: September 29, 2011

Effective Date: September 29, 2011

On August 1, 2011, Atmos Energy Corporation (“Atmos”) and Liberty Energy (Midstates) Corp. (“Liberty”) filed an application. That application requests, among other things, authority from the Commission for Liberty to buy Atmos’ natural gas and natural gas transportation systems.

On September 27, 2011, Staff, on behalf of all the parties, filed a Joint Proposed Procedural Schedule and Proposal Regarding Certain Procedural Matters. The Commission finds the proposal reasonable, and will grant it.

**THE COMMISSION ORDERS THAT:**

1. The Joint Proposed Procedural Schedule and Proposal Regarding Certain Procedural Matters is approved.

2. The parties are directed to comply with the conditions set out in this order.

3. The following procedural schedule is adopted:

Technical Conference October 12, 2011

Exchange List of Conditions November 18, 2011

Settlement Conference December 1-2 and 5-6, 2011

Rebuttal Testimony	January 9, 2012
Surrebuttal Testimony	January 30, 2012
List of Issues, Order of Witnesses, Order of Cross-Examination	February 1, 2012
Discovery Cutoff	February 3, 2012
Statements of Position	February 8, 2012
Evidentiary Hearing	February 15-16, 2012 8:30 a.m.

4. The evidentiary hearing shall be held at the Commission's offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

5. All parties shall provide copies of exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such exhibits or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.

6. Whenever possible data request questions should not contain either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated as such pursuant to Commission Rule 4 CSR 240-2.135.

7. Data requests will be served on counsel for the requesting party and on the requesting party's employee or representative who submitted the data request and shall be served electronically, if feasible and not voluminous as defined by Commission rule. When serving data requests, counsel for each party shall send to counsel for each other party an electronic copy of the text of data request "descriptions". If the description contains highly confidential or proprietary information, or is voluminous, a hyperlink to the EFIS record of that data request shall be considered a sufficient copy.

8. Any party seeking the response to a data request that has been issued by another party shall request a copy of the response from the party answering the data request.

9. Data requests, objections, or notifications respecting the need for additional time to respond shall be sent via e-mail to counsel for the other parties. Counsel may designate other personnel to be added to the service list but shall assume responsibility for compliance with any restrictions on confidentiality.

10. For data requests served before the filing of rebuttal testimony, the response time for all data requests shall be 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. For data requests served after the filing of rebuttal testimony, the response time for data requests shall be 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information. For data requests served after the filing of surrebuttal testimony, the response time for data requests shall be 5 business days to provide the requested information, and 3 business days to object or notify that more than 5 business days will be needed to provide the requested information.

11. Workpapers that were prepared in the course of developing a witness' testimony should not be filed with the Commission but should be submitted to each party within 2 business days following the filing of the particular testimony. Workpapers containing highly confidential or propriety information should be appropriately marked. Since workpapers for certain parties may be voluminous and generally not all parties are interested in receiving workpapers or a complete set of workpapers, a party shall be relieved of providing workpapers to those parties indicating that they are not interested in receiving workpapers or a complete set of workpapers. Counsel shall undertake to advise other counsel if the sponsored witness has no workpapers related to the round of testimony.

12. Where workpapers or data request responses include models or spreadsheets or similar information originally in a commonly available format where inputs or parameters may be changed to observe changes in inputs or outputs, if available in that original format, the party providing the workpaper or response shall provide this type of information in that original format.

13. The Commission waives Commission Rules 4 CSR 240-2.045(2) and 4 CSR 240-2.080(11) and will treat filings made through the Commission's Electronic Filing and Information System (EFIS) as timely filed if filed before midnight on the date the filing is due.

14. Filings may be properly served by serving the same on counsel of record for all other parties via e-mail essentially contemporaneously with the EFIS filing.

15. This order shall become effective upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 29<sup>th</sup> day of September, 2011.