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STATE OF MISSOURI

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PUBLIC SERVICE COMMISSION

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TRANSCRIPT OF PROCEEDINGS

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Prehearing Conference

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August 19, 2004

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Jefferson City, Missouri

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Volume I

13

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In the Matter of the)

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Application of Atmos Energy)

Corporation for an Order)Case No. GM-2004-0607

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Authorizing it to Acquire)

the Business for TXU Gas Company)

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LEWIS MILLS, Presiding

DEPUTY CHIEF REGULATORY LAW JUDGE

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REPORTED BY: JENNIFER JOHNSON-COOK, CCR(T)

MIDWEST LITIGATION SERVICES

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JUDGE MILLS: We're on the record this morning for a prehearing conference in Case Number GM-2004-0607. We're on the record to take entries of appearance. Let's start on my left with Staff.

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MR. FRANSON: Robert Fanon, Attorney for the Staff for the Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102.

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MR. FISHER: Let the record reflex the appearance of James M. Fischer, Fischer and Dority, PC. Our mailing address is 101 Madison Street, Suite 400, Jefferson City, Missouri 65101. And I also have with me co-counsel, from Atmos Energy, Douglas Walter. He was formally Assistant General Counsel at the Public Service Commission. I also have in attendance today with us, Lori Sherwood, the Vice President Treasurer of Atmos Energy, and Tom Peterson, Director of Rates.

JUDGE MILLS: Okay. Thank you. Mr. Hoffman.

MR. COFFMAN: John Coffman with the Office Of The Public Counsel, P.O. Box 2230, Jefferson City, Missouri, 65102.

JUDGE MILLS: Thank you. Is there anything

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1 else that we need to take up while we're on the record?
2 MR. FISCHER: Your Honor, I just had two
3 items. One, I think we've asked for a protective order
4 and that has not been issued to my knowledge, and we've
5 been exchanging some confidential material. That would
6 be one item. As I mentioned off the record, we're also
7 -- would be interested in any scheduling conflicts in
8 mid September, related to a possible presentation of a
9 stipulation, if that occurs as a result of this meeting
10 today.

11 JUDGE MILLS: I will look into the
12 protective order and issue one this morning.

13 MR. FISCHER: Thank you.

14 JUDGE MILLS: And as to the available dates,
15 I think anyone internally has access to the Commission's
16 adjudication calender and that's really the only
17 resource I have.

18 MR. FISCHER: Okay.

19 JUDGE MILLS: I don't know anything more
20 specific about the individual Commissioner's travel
21 plans or vacation plans or whatever. As far as
22 scheduled hearings, that are available and, you know,
23 you can check that or you can check with me, and I'll be
24 happy to talk with you about what dates are available.

25 MR. FISCHER: Thank you.

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1 JUDGE MILLS: Anything else? Hearing
2 nothing, then that concludes the on-the-record portion
3 of this prehearing portion. Thank you.
4 (AT THIS TIME THE HEARING WAS CONCLUDED)
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3 STATE OF MISSOURI)

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5 COUNTY OF COLE)

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7 I, Jennifer Renee Johnson-Cook a Certified Court
8 Reporter, C.C.R. No. 1041, the officer before whom
9 HONORABLE LEWIS MILLS foregoing deposition was taken, do
10 hereby certify that the witness whose testimony appears
11 in the foregoing deposition was duly sworn by me; that
12 the testimony of said witness was taken by me to the
13 best of my ability and thereafter reduced to typewriting
14 under my direction; that I am neither counsel for,
15 related to, nor employed by any of the parties to the
16 action in which this deposition was taken, and further
17 that I am not a relative or employee of any attorney or
18 counsel employed by the parties thereto, nor financially
19 or otherwise interested in the outcome of the action.

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23 Jennifer R. Johnson-Cook
24 Notary Public within and
25 for Cole County, of Missouri
My commission expires 10-27-2007