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Missouri Public Service Commission

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WESS A. HENDERSON
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Director, Administration and
Regulatory Policy

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Director, Utility Services

NATELLE DIETRICH
Director, Utility Operations

STEVEN C. REED
Secretary/General Counsel

KEVIN A. THOMPSON
Chief Staff Counsel

February 10, 2011

Mr. Steve Reed, Secretary
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102

RE: GR-2008-0364 Request for Subpoenas Duces Tecum

Dear Mr. Reed:

The Staff of the Missouri Public Service Commission (Staff) requests that you in your capacity as the Secretary of the Missouri Public Service Commission (Commission) and pursuant to Sections 386.040, 386.250(1) and (7), 386.320.3, 386.390.4, 386.420.2, 386.440(a) and (2), 393.140.8, 393.140.9, 393.140.10 and 4 CSR 240-2.100 issue a subpoena duces tecum to Rebecca Buchanan, Manager, Regional Gas Supply, and Mike Walker, Gas Supply Specialist, of Atmos Energy Corporation, in an effort to obtain information relevant to Staff's inquiry and assessment of the utility management's planning and its decisions affecting the area of natural gas supply procurement from its affiliate, Atmos Energy Marketing, LLC.

The documents that Staff seeks are:

A copy of all contract documents between AEC and AEM that authorized delivery from the stated receipt/delivery point of "Haven Pool" to AEM's chosen delivery point for receipt and deliveries for the 2007-2008 ACA period.

A copy of all documents that show that AEC's first of month nominations for December 2007 baseload supply was restricted to the level nominated by AEC.

A copy of all documents that show any and all input from AEM regarding FOM nominations for the winter of 2007-2008.

A copy of all AEC analysis of the AEM chosen delivery point (the point used by AEM to deliver AEC's supplies). This should include all AEC analysis of the point's capacity, its utilization on a daily, monthly, and/or annual basis, and whether it ever operated at full capacity.

A copy of all declarations of Force Majeure or critical periods by AEM regarding its limiting of AEC supplies during the 2007-2008 ACA period.

A copy of all documents that show that December 2007 baseload first of month and December 2007 swing nominations were reduced by Panhandle Eastern versus AEM's inability to schedule certain supplies for AEC at the AEM chosen delivery points.

A copy of all documentation that describes the Reduction Reason as shown on Sommerer Surrebuttal Schedule 5-23.

A copy of all documents explaining why firm swing supplies were cut for December 2007, including explanations received during the month of December 2007 and all subsequent documentation.

All documents assuring AEC that the affiliate was providing AEC the same level of service as its other firm customers.

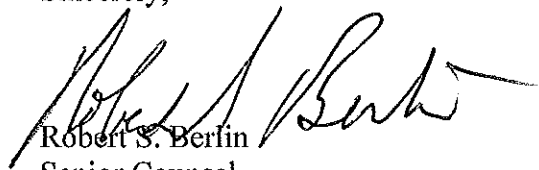
A copy of all documentation that shows that AEC's Missouri LDC's Hannibal system received all available AEM supply scheduled into the AEM chosen delivery point and that AEM gave AEC's Missouri LDC's the highest level of priority when scheduling AEM's available supplies into AEM's chosen delivery point.

The purpose of obtaining these documents and questioning Ms. Buchanan is to examine and understand Atmos Energy Corporation's gas supply decisions and the allowance by Atmos of its unregulated affiliate, Atmos Energy Marketing, to use a secondary receipt point and how the Panhandle Eastern force majeure affected the reliability of gas supplies to the Hannibal service area.

These documents are essential to Staff's analysis and are expected to lead to evidence relevant to Staff's inquiry on the subject of Ms. Buchanan's testimony regarding AEM's performance during the 2007-2008 ACA period.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert S. Berlin", is written over the typed name.

Robert S. Berlin
Senior Counsel

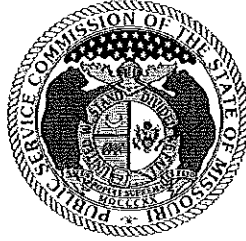
(573) 526-7779 (Telephone)

(573) 751-9285 (Fax)

RSB:sw

SUBPOENA DUCES TECUM

**Order to Produce Documents
Order to Appear for Deposition**



THE STATE OF MISSOURI

SERVE: James M. Fischer and/or
Larry W. Dority
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, MO 65101

Attorneys for Atmos Energy Corporation

To: Atmos Energy Corporation, Mike Walker, Gas Supply Specialist, Atmos Energy Corporation, 377
Riverside Dr., Suite 201, Franklin, TN 37064-5393.

Pursuant to Sections 386.040, 386.250(1) and (7), 386.320.3, 386.390.4, 386.420.2, 386.440(a) and (2),
393.140.8, 393.140.9, 393.140.10, CSR 240-2.100, and Supreme Court Rule 57.03(4), you are hereby
commanded to be and appear personally before The Public Service Commission of the State of Missouri or any
Commissioner thereof on the 28th day of February, 2011 at 1:00pm o'clock of that day, or as soon thereafter
as possible and on the 1st day of March, 2011 at 8:30am, and *continuing daily thereafter until completed* in
accord with Rule 57.03 at the offices of the Commission at 200 Madison St., Conference Room 810, Jefferson
City, 65102 , in the State of Missouri, to produce documents and to testify concerning, among other things, on
the subject of the gas supply decisions and activities during the 2007-2008 ACA period.

Bring with you and produce at said deposition the following documents:

A copy of all contract documents between AEC and AEM that authorized delivery from the stated receipt/delivery point of "Haven Pool" to AEM's chosen delivery point for receipt and deliveries for the 2007-2008 ACA period.

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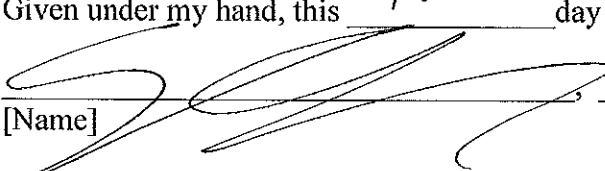
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Hereof fail not at your peril. The person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon its return.

Under Rule 57.03(b)(4) Atmos Energy Corporation has a duty to designate the person or persons who will testify to these matters.

Given under my hand, this 10th day of FEBRUARY,
 S. REED, SECRETARY
[Name] [Title]

RETURN

I HEREBY CERTIFY that I have served the within writ by ~~reading the same in the presence and hearing of the~~ ^{hand delivering}
~~to~~ ^{to} Larry Dwyer attorney for Atmos
~~within named~~ ^{to} Cole on the 10th day of February, in 2011
Cole County, in the State of Missouri.
ROBERT S. BERLIN Staff Counsel
[Name] [Title]

SUBPOENA DUCES TECUM

Order to Produce Documents
Order to Appear for Deposition



THE STATE OF MISSOURI

SERVE: James M. Fischer and/or
Larry W. Dority
FISCHER & DORITY, P.C.
101 Madison, Suite 400
Jefferson City, MO 65101

Attorneys for Atmos Energy Corporation

To: Atmos Energy Corporation, Rebecca Buchanan, Manager, Regional Gas Supply, Atmos Energy Corporation, 377 Riverside Dr., Suite 201, Franklin, TN 37064-5393.

Pursuant to Sections 386.040, 386.250(1) and (7), 386.320.3, 386.390.4, 386.420.2, 386.440(a) and (2), 393.140.8, 393.140.9, 393.140.10, CSR 240-2.100, and Supreme Court Rule 57.03(4), you are hereby commanded to be and appear personally before The Public Service Commission of the State of Missouri or any Commissioner thereof on the 28th day of February, 2011 at 1:00pm o'clock of that day or as soon thereafter as possible and on the 1st day of March 2011 at 8:30am, and *continuing daily thereafter until completed* in accord with Rule 57.03 at the offices of the Commission at 200 Madison St., Conference Room 810, Jefferson City, 65102, in the State of Missouri, to produce documents and to testify concerning, among other things, on the subject of the gas supply decisions and activities during the 2007-2008 ACA period.

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Under Rule 57.03(b)(4) Atmos Energy Corporation has a duty to designate the person or persons who will testify to these matters.

Given under my hand, this 10th day of FEBRUARY,
[Signature], S. AED, SECRETARY
[Name] [Title]

RETURN

I HEREBY CERTIFY that I have served the within writ by ~~reading the same in the presence and hearing of the~~ hand delivering
~~within named~~ to Larry Darity Attorney for Atmos on the 10th day of February 2011, in
Cal County, in the State of Missouri.

ROBERT S. BERLIN Staff Counsel
[Name] [Title]