

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Atmos Energy)
Corporation for a Variance and Waiver from the)
Provisions of 4 CSR 240-3.235.)

File No. GE-2009-0443

ORDER RESETTING HEARING

Issue Date: July 30, 2009

Effective Date: July 30, 2009

On June 19, 2009, Atmos Energy Corporation filed a request for a variance from certain provisions of 4 CSR 240-3.235 to allow it to file its next rate case without the inclusion of a new depreciation study. The Office of the Public Council objected to that application and requested the Commission deny the variance.

The Commission previously set a hearing for this matter to begin on August 4-5, 2009. On July 29, 2009, the Office of the Public Counsel moved that the hearing be rescheduled to allow time for additional discovery and further settlement discussions between the parties. Atmos filed a response indicating its willingness to reschedule the hearing if it would not "unduly delay" a decision. Atmos suggested the week of August 24th for the hearing. Staff of the Missouri Public Service Commission filed its response stating that it also believes a delay in the proceedings could help facilitate settlement of the issues. Staff also stated that the week of August 24th is a reasonable time for the hearing to be convened.

After reviewing Public Counsel's motion and the responses, the Commission has determined that the hearing and other procedural deadlines are rescheduled as set out below. All other procedural conditions shall remain.

THE COMMISSION ORDERS THAT:

1. The hearing in this matter is rescheduled to be held on August 25-26 beginning at 9:00 a.m. on August 25 in the Commission's offices, Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri.
2. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.
3. The parties shall follow the procedures as set out in the previous Commission order and shall file their witness lists, proposed order of cross-examination, and position statements no later than August 20, 2009.
4. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 30th day of July, 2009.