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.)	JG-2010-0191

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Recommendation, states as follows:

- 1. On September 15, 2009, Atmos Energy Corporation (Atmos) filed its Motion for Waiver of Tariff Provisions (Motion) and accompanying tariff sheet to discontinue the Actual Cost Adjustment (ACA) factor for the SEMO, NEMO and Rich Hill/Hume (Greeley or West Area) Districts.
- 2. On September 16, 2009, the Commission issued its *Order Directing Staff To File Recommendation And Establishing Time For Response* (Order). The Order directed Staff to file its Recommendation no later than September 25, 2009, and set September 25th as the deadline for parties to respond to Atmos' Motion and tariff.
- 3. The Motion asserts the ACA balance for the SEMO and NEMO districts are nearing a zero balance and are approaching an under-recovered state by October 1, 2009. For that reason, Atmos asks the Commission to expeditiously approve its tariff to accomplish the district consolidation and to waive any provisions of Atmos' tariff provisions that would preclude the filing of the tariff.
- 4. The consolidation of PGA districts was authorized by the Commission in Atmos' last rate case, GR-2006-0387. That issue was not taken up on appeal.

5. The Staff has reviewed Atmos' tariff filing and has determined the tariff sheet has

been filed in compliance with Atmos' PGA Clause and Commission rules. Staff believes good

cause for approval of tariff JG-2010-0191 on less than thirty days notice is demonstrated by

Atmos' Commission-approved PGA clause allowing for ten business days notice for PGA

change filings and its Motion. Staff has no objection to Atmos' request because the SEMO and

NEMO Districts' ACA balances are nearing zero by end of September, 2009, thereby avoiding

an over-collection of gas costs; and, because the one time credit to customers in the old Greeley

District will complete the consolidation of the old Greeley and Butler PGA districts. For reasons

further explained in Staff's Memorandum, attached as Appendix A and incorporated by

reference, the Staff recommends the Motion be granted and the tariff sheet filed on

September 15, 2009, be allowed to become effective on October 1, 2009.

WHEREFORE, for the above stated reasons, the Staff recommends the Commission

grant Atmos' Motion and approve tariff JG-2010-0191 as filed on September 15, 2009, allowing

the tariff to become effective on October 1, 2009.

Respectfully submitted,

/s/ Robert S. Berlin

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I hereby certify	that copies	of the fore	going have	been	mailed, ha	ınd-delivered,
transmitted by facsimile	or electronic	cally mailed	to all couns	sel of 1	record this	25th day of
September 2009.						

/s/ Robert S. Berlin