

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,

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 25th day of September 2009.

/s/ Robert S. Berlin