

1. On March 1, 2011, the Commission convened a prehearing conference and directed the parties to submit a proposed procedural schedule by March 8, 2011.
2. Because the issues in this case are similar to the issues in GR-2008-0364 currently before the Commission, with a hearing scheduled in that case later this month, the Staff recommends the Commission direct the parties to file a proposed procedural schedule in this case not later than 30 days after the date of the Commission's final order in GR-2008-0364.
3. A final Commission order in the 2007-2008 ACA case may provide guidance to the Parties of any Commission policy pertaining to issues in the ACA cases involving affiliate transactions.
4. While Staff recognizes prompt resolution of the issues in this case is one of the Commission's stated goals, in support of its recommendation, Staff notes there is no

operation of law date in this case and there is no harm to Atmos because it has already collected revenues associated with this ACA period and administrative efficiency is served by waiting until the Commission issues its final order in the 2007-2008 ACA case, GR-2008-0364. In addition, this approach will permit Staff time to conduct discovery of Atmos and its affiliate, Atmos Energy Marketing.

5. Staff's recommendation is not made for purposes of delay but, instead is made for purposes of efficiency and conservation of both the Commission's and the Parties resources.

WHEREFORE, to promote administrative efficiency and to conserve resources, the Staff recommends the Commission issue an order directing the parties to file a proposed procedural schedule no later than 30 days after the Commission issues its final order in GR-2008-0364.

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 8th day of March 2011.

/s/ Robert S. Berlin