

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 25th day of
February, 2009.

In the Matter of the PGA/ACA Filing of Atmos)	
Energy Corporation for the West Area (Old Butler),)	<u>Case No. GR-2008-0364</u>
West Area (Old Greeley), Southeastern Area (Old)	<u>Tariff No. YG-2009-0579</u>
SEMO), Southeastern Area (Old Neelyville),)	
Kirksville Area and the Northeastern Area)	

**ORDER APPROVING REVISED ACA FACTOR AND GRANTING
WAIVER OF TARIFF PROVISIONS**

Issue Date: February 25, 2009

Effective Date: March 1, 2009

On February 13, 2009, Atmos Energy Corporation filed a motion and accompanying tariff that would discontinue the Actual Cost Adjustment (ACA) factor for the Old Butler Purchased Gas Adjustment (PGA) rate district. In Atmos' last rate case, GR-2006-0387, the Commission authorized Atmos to consolidate its six PGA areas into four PGA areas. As part of that consolidation, the Old Butler district was consolidated with the Old Greeley district, to create a new West area. However, Atmos maintained separate ACA factors for the old districts within the West area until the ACA balances for the old districts could be zeroed out. Atmos indicated the ACA balance for the Old Butler district will be approaching zero around March 1. For that reason, Atmos asked the Commission to expeditiously approve its tariff to accomplish the elimination of the separate old Butler district ACA factor. Atmos also asked the Commission to waive any provisions of Atmos' tariff that would preclude the filing of the tariff.

In response, the Commission directed its Staff to file a recommendation regarding Atmos' filing by February 23. The Commission also ordered any other party wishing to respond to Atmos' filing to do so no later than February 23. Staff filed its recommendation on February 18. No other party has filed a response.

Staff confirms that Atmos' ACA balance for the Old Butler district will be near zero at March 1. By making the requested ACA change now, Atmos will avoid over-collection of these costs for its upcoming regular ACA filing in November 2009. Since Atmos has already filed an ACA factor during the last twelve months, Atmos will need a waiver of its tariff to allow it to make the additional ACA filing. Staff advises the Commission to grant the requested waiver.

Atmos' tariff and motion are reasonable, and are not opposed by any party. The Commission will grant the requested waiver and will approve the submitted tariff.

THE COMMISSION ORDERS THAT:

1. The proposed tariff sheet submitted under Tariff File No. YG-2009-0579 by Atmos Energy Corporation, is approved, effective on and after March 1, 2009. The specific tariff sheet approved is:

P.S.C. Mo No. 2

5th Revised Sheet No. 44, Canceling 4th Revised Sheet No. 44

2. Atmos Energy Corporation is granted a waiver from any provision of its tariff that would preclude the filing of the tariff change approved in the previous paragraph.

3. This order shall become effective March 1, 2009.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Clayton, Chm., Murray, Davis, Jarrett,
and Gunn, CC., concur.

Woodruff, Deputy Chief Regulatory Law Judge