

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Atmos Energy Corporation’s Tariff)
Revision Designed to Implement a General Rate)
Increase for Natural Gas Service in the Missouri)
Service Area of the Company.)
Case No. GR-2010-0192

**JOINT PROCEDURAL SCHEDULE
AND JOINT MOTION REQUESTING ADOPTION
OF CERTAIN OTHER PROCEDURAL MATTERS**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and on behalf of itself and the parties to this proceeding, including the Atmos Energy Corporation (Atmos), Office of the Public Counsel, Noranda, and the Missouri Department of Natural Resources, and respectfully state as follows:

1. On December 28, 2009, Atmos filed with the Commission proposed tariff sheets bearing an effective date of January 28, 2010, which are designed to produce a gross annual revenue increase of \$6.4 million for natural gas service provided to retail customers in Atmos’ Missouri service area

2. On January 6, 2010, the Commission issued its *Order Directing Notice, Suspending Tariff, Setting Hearings, And Directing Filings* (Suspension Order). Among other things, the Commission in its Suspension Order scheduled an early prehearing conference on January 26, 2010, and directed that the Staff have the primary responsibility of filing a proposed procedural schedule on or before February 2, 2010, and directed that the parties shall file recommendations as to the times, dates and locations for local public hearings regarding the proposed rate increase on or before February 2, 2010.

3. On January 26, 2010, the Commission convened an early prehearing conference. At the conference, the regulatory law judge asked that the parties include in their proposed

procedural schedule the filing of a joint stipulation of non-contested material facts. As a result of the discussions at conference, the parties respectfully propose that the Commission adopt the following procedural schedule in this case:

<u>EVENT</u>	<u>DATE</u>
Case Filed	December 28, 2009
Early Prehearing Conference	January 26, 2010
Proposed Procedural Schedule; Test Year; True Up; Local Public Hearing Dates/Locations	February 2, 2010
<hr/>	
Rate Design Technical Conference	March 2- 3, 2010 (10:00am and 8:30am respectively)
Revenue Requirement Direct	June 4, 2010
Rate Design Direct	June 18, 2010
Local Public Hearings	June 21-25, 2010
<p><u>West Area:</u> (1 day) 6:00 pm Butler (Bates Co)</p> <p><u>Northeast Area:</u> (1 day) 12:00 pm Hannibal (Marion/Ralls Cos) 6:00 pm Kirksville (Adair Co)</p> <p><u>Southeast Area:</u> (2 days) 6:00 pm Jackson (Cape Girardeau Co) 12:00 pm Caruthersville (Pemiscot Co) 6:00 pm Sikeston (Scott/New Madrid Cos)</p> <p>(Specific dates, times, and locations are to be determined).</p>	
Preliminary Reconciliation (<u>not filed</u>)	June 22, 2010
Settlement Conference	June 29 – July 2, 2010
Rebuttal (all issues, simultaneous)	July 16, 2010
List of Issues; Witnesses; Order of Cross	July 30, 2010

Simultaneous Surrebuttal	August 6, 2010
Reconciliation	August 10, 2010
Position Statements	August 13, 2010
Joint Stipulation of Non-contested Material Facts	August 13, 2010
Evidentiary Hearing	August 18 – 27, 2010
Transcripts due	September 3, 2010
Simultaneous Briefs	September 28, 2010

Operation of Law Date	November 28, 2010
-----------------------	--------------------------

4. Staff notes that the Suspension Order scheduled an evidentiary hearing for July 12 through 16, and July 19 through 23, 2010. These dates were discussed by the parties at the prehearing conference and were determined to be unworkable due to staff resource constraints, conflicting schedules, and the near concurrent running of the Laclede Gas Company rate case proceedings. In order to accommodate the press of workload and company travel schedules, the parties respectfully request the Commission reset the evidentiary hearing to August 18 through 27, 2010 as indicated above.

5. The parties also agreed to the following matters and request that these agreements be reflected in the Commission’s Order setting the procedural schedule:

- (a) All parties agree that they will provide copies of testimony, exhibits and pleadings to other counsel by electronic means and in electronic form essentially concurrently with the filing of such testimony, exhibits or pleadings.
- (b) An effort should be made to not include in data request questions either highly confidential or proprietary information. If either highly confidential or proprietary information must be included in data request questions, the highly confidential or proprietary information should be appropriately designated.

(c) Counsel for each party is to receive electronically from each other party, a copy of all data requests served by that party on another party in the case – if a party desires the response to a data request that has been served on another party, the party desiring a copy of the response must request a copy of the response from the party answering the data request – in this manner the party providing a response to a data request has the opportunity to object to providing the response to another party and is responsible for copying information purported to be highly confidential or proprietary – thus, if a party wants a copy of a data request response by Atmos to a Staff data request, the party should ask Atmos, not the Staff, for a copy of the data request response unless there are appropriate reasons to direct the discovery to the party originally requesting the material.

(d) Until the July 16 filing of rebuttal testimony, the response time for all data requests is 20 calendar days, and 10 calendar days to object or notify that more than 20 calendar days will be needed to provide the requested information. After July 16, the response time for all data requests becomes 10 calendar days to provide the requested information, and 5 business days to object or notify that more than 10 calendar days will be needed to provide the requested information.

(e) Workpapers that were prepared in the course of developing a witness' testimony should not be filed with the Commission but should be submitted to each party within 2 business days following the filing of the particular testimony. Workpapers containing highly confidential or proprietary information should be appropriately marked. Since workpapers for certain parties may be voluminous and generally not all parties are interested in receiving workpapers or a complete set of workpapers, a party shall specifically notify another party that they are interested in receiving certain workpapers or a complete set of workpapers. If such workpapers have been prepared in either Excel or Word format, the workpapers will be provided on a disk or through e-mail to the other parties.

(f) Atmos also agrees to submit to the Staff and interested parties an update of its direct revenue requirement and rate design calculations, as well as the necessary supporting data through February 28, 2010¹, by no later than April 15, 2010.

6. Customer Notice Language:

The parties recommend that the Company individually notify its customers of the rate increase request and public hearings, via a bill insert, with such notice to be provided at least 15 days

¹ In its *Atmos Energy Corporations's Recommendation Regarding Test Year* filed by the Company on January 26, 2010, the Company recommended "...the Commission establish the twelve months ended June 30, 2009 as the test year in this proceeding, with an update period for known and measurable changes through March 31, 2010." Subsequent to that filing, the parties have discussed the March 31st update period and the need for time to prepare direct testimony. In response to those discussions, the Company has agreed to shorten the update period by one month to February 28, 2010.

prior to the first public hearing. The parties further recommend that the following language be used in such notices:

**NOTICE OF REQUESTED RATE INCREASE and
REQUEST FOR PUBLIC COMMENT**

In December 2009, Atmos Energy Corporation asked the Missouri Public Service Commission (PSC) for approval to increase its natural gas service rates by \$6.4 million. The effect of the proposed rates on the Company’s residential customers, small general service customers, and medium general service customers would be as follows:

Residential Customers

Region	Current Monthly Customer Charge	Proposed Monthly Customer Charge
Western Missouri	\$19.63	\$29.99
Northeast Missouri	\$21.78	\$33.23
Southeast Missouri	\$14.14	\$21.27

Small General Service (Small Business) Customers

Region	Current Monthly Customer Charge	Proposed Monthly Customer Charge
Western Missouri	\$19.63	\$29.99
Northeast Missouri	\$21.78	\$51.65
Southeast Missouri	\$14.14	\$33.38

Medium General Service (Medium Business) Customers

Region	Current Monthly Charge	Proposed Monthly Charge
Western Missouri	\$75.76 + \$.157/Ccf	\$100 + \$.141/Ccf
Northeast Missouri	\$79.27 + \$.119/Ccf	\$100 + \$.138/Ccf
Southeast Missouri	\$76.20 + \$.123/Ccf	\$100 + \$.096/Ccf

The Company is proposing to reclassify certain small and medium business customers, who will be contacted directly by the Company regarding the impacts for customers subject to reclassification. Customers in the large general service class, large interruptible service class, and transportation service class should contact the Company for impacts to those classes.

The PSC will conduct an investigation to determine if the proposed rates are just and reasonable. The PSC has the authority to approve rates that are higher or lower than the Company’s request depending on the results of its investigation.

The PSC will hold local public hearings in which customers will have an opportunity to present comments to the PSC commissioners about the rate increase request. Public comment hearings have been set before the PSC as follows:

*****LOCATIONS, DATES AND TIMES LISTED HERE

***A question-and-answer session will be held one-half hour before the beginning of each hearing.**

If you are unable to attend a live public hearing and wish to make written comments or secure additional information, you may contact the Missouri Public Service Commission, Post Office Box 360 Jefferson City, Missouri 65102, telephone 800-392-4211, email pscinfo@psc.mo.gov, or the Office of the Public Counsel, P.O. Box 2230, Jefferson City, Missouri 65102, telephone (573) 751-4857, email opcservice@ded.mo.gov.

Comments may also be registered in the case using the Commission's electronic filing system at <https://www.efis.psc.mo.gov/mpsc/Comments.html>. If submitting comments, please reference Case/Tracking Number GR-2010-0192.

The Commission will also conduct an evidentiary hearing at its offices in Jefferson City from August 18-20, 2010 and August 23-27, 2010, beginning at 8:30 a.m. The hearings and local public hearings will be held in buildings that meet accessibility standards required by the Americans with Disabilities Act. If a customer needs additional accommodations to participate in these hearings, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

7. The parties also propose that Atmos will separately notify customers subject to reclassification in the small general service class and medium general service class of their expected rate impacts, and that Atmos will submit that notice for Commission approval no later than February 5, 2010.

WHEREFORE, in response to the Commission's Suspension Order issued on January 6, 2010, the Staff files this proposed procedural schedule and list of agreements on behalf of itself and the other parties to Case No. GR-2010-0192.

Respectfully submitted,

/s/Robert S. Berlin

Robert S. Berlin
Senior Counsel
Missouri Bar No. 51709

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-7779 (Telephone)
(573) 751-9285 (Fax)
bob.berlin@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 2nd day of February 2010.

/s/ Robert S. Berlin