

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Verified Application and)	
Petition of Atmos Energy Corporation for)	<u>Case No. GO-2009-0046</u>
Establishment of an Infrastructure System)	Tariff No. YG-2009-0116
Replacement Surcharge)	

ORDER SUSPENDING TARIFF, DIRECTING NOTICE, AND SETTING
INTERVENTION DATE

Issue Date: August 15, 2008

Effective Date: August 15, 2008

On August 14, 2008, Atmos Energy Corporation, filed a petition with the Missouri Public Service Commission pursuant to Sections 393.1009, 393.1012 and 393.1015, RSMo Supp. 2007; and 4 CSR 240-2.060, 4 CSR 240-2.080, and 4 CSR 240-3.265. Atmos requests adjustment to its rates and charges through establishment of an Infrastructure System Replacement Surcharge ("ISRS") rate schedule to provide recovery of costs for infrastructure system replacement and relocations eligible for ISRS recognition. Section 393.1015.2(3), RSMo Supp. 2007, requires the Commission to act on Atmos' application no later than 120 days after it was filed. Consequently, the Commission must issue a decision regarding the petition effective no later than December 12, 2008.

With its application, Atmos filed a tariff that would implement the surcharge effective September 13. The Commission will suspend that tariff until December 12, to allow sufficient time to review Atmos' ISRS application.

Section 393.1015.1(2) requires the Commission to publish notice of Atmos' filing. Therefore, notice of this application shall be given to the general public and to others who may be interested, and a date set for intervention requests.

IT IS ORDERED THAT:

1. The tariff sheets filed by Atmos Energy Corporation on August 14, 2008, and assigned tariff number YG-2009-0116, are suspended until December 12, 2008. The tariff sheets suspended are:

P.S.C. MO. NO. 2

1st Revised Sheet No. 19, Canceling Original Sheet No. 19
1st Revised Sheet No. 22, Canceling Original Sheet No. 22
1st Revised Sheet No. 24, Canceling Original Sheet No. 24
1st Revised Sheet No. 26, Canceling Original Sheet No. 26
1st Revised Sheet No. 28, Canceling Original Sheet No. 28
1st Revised Sheet No. 31, Canceling Original Sheet No. 31

2. The Commission's Data Center shall mail a copy of this notice to the County Commission for each of the counties in Atmos' service area. In addition, the Data Center shall mail a copy of this notice to each party in GR-2006-0387, Atmos' last general rate case.

3. The Commission's Public Information Office shall make notice of this order available to the media serving Atmos' service area and to the members of the General Assembly representing Atmos' service area.

4. Any person wishing to intervene in this matter shall file an application to do so no later than September 4, 2008. Such application shall be filed with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and a copy served on:

Larry W. Dority and James M. Fischer
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

5. This order shall become effective immediately upon issue.

BY THE COMMISSION

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

Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 15th day of August, 2008.