

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 23<sup>rd</sup> day of  
October, 2008.

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

**ORDER APPROVING ISRS RATES, REJECTING SUBMITTED TARIFF,  
AND AUTHORIZING ATMOS TO FILE TARIFF IN COMPLIANCE.**

Issue Date: October 23, 2008

Effective Date: November 2, 2008

On August 14, 2008, Atmos Energy Corporation filed an application and petition to establish an infrastructure system replacement surcharge (ISRS). Atmos' request to establish an ISRS was accompanied by an implementing tariff. The Commission has suspended that tariff until December 12.

In its application, Atmos seeks to establish an ISRS rate schedule to recover costs incurred in connection with ISRS-eligible infrastructure system replacements placed in service from October 1, 2006, through March 31, 2008. The specific infrastructure system replacements for which Atmos seeks ISRS recovery are set forth in Appendix A to its application.

Section 393.1015.1(2), RSMo requires the Commission to publish notice of Atmos' ISRS filing. Therefore, on August 15, the Commission directed that notice of the filing be mailed to the county commission of the counties served by Atmos. It also directed that notice be given to the media serving the area served by Atmos and to the members of the

General Assembly representing that area. In addition, the Commission directed notice to each party in Atmos' most recent rate case. In that same order, the Commission directed that any person wishing to intervene in this matter file an application to intervene no later than September 4. The Commission did not receive any applications to intervene.

Section 393.1015.2(2), RSMo allows the Staff of the Commission to file a report regarding Atmos' ISRS application no later than 60 days after it was filed. Staff filed its recommendation on October 9, advising the Commission to approve Atmos' application with certain modifications that will reduce Atmos' ISRS recovery by \$72,853. Staff recommends the Commission allow Atmos to recover ISRS revenues in the amount of annual pre-tax revenues of \$408,181, consisting of \$10,332 for the West District, \$99,622 for the Southeast District, and \$298,226 for the Northeast District. Atmos responded to Staff's recommendation on October 14, indicating its acceptance of Staff's recommendation.

Based on Atmos' application and Staff's report regarding that application, the Commission concludes that Atmos shall be permitted to establish its ISRS rates in the amount recommended by Staff. Atmos' previously filed tariff is thus incorrect and must be rejected. The Commission will authorize Atmos to file a revised tariff implementing the ISRS recovery amount recommended by Staff.

**THE COMMISSION ORDERS THAT:**

1. Atmos Energy Corporation is authorized to establish an Infrastructure System Replacement Surcharge in the manner described in Staff's recommendation to impose an Infrastructure System Replacement Surcharge that is sufficient to recover appropriate annual pre-tax revenues in the amount of \$408,181, consisting of \$10,332 for the West

District, \$99,622 for the Southeast District, and \$298,226 for the Northeast District.

2. Atmos Energy Corporation is authorized to file an ISRS rate for each customer class as reflected in Appendix B of Staff's Recommendation.

3. The tariff sheet filed by Atmos Energy Corporation, on August 14, 2008, and assigned tariff number YG-2009-0116, is rejected.

4. Atmos Energy Corporation is authorized to file a revised tariff implementing an Infrastructure System Replacement Surcharge sufficient to recover the revenues authorized in this order.

5. This order shall become effective on November 2, 2008.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

Colleen M. Dale  
Secretary

( S E A L )

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

Woodruff, Deputy Chief Regulatory Law Judge