

**BEFORE THE PUBLIC SERVICE COMMISSION  
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. GM-2012-0037

**VERIFIED APPLICATION OF IBEW LOCAL 1439  
TO INTERVENE**

COMES NOW International Brotherhood of Electrical Workers Local 1439, AFL-CIO ("Local 1439"), by counsel, and respectfully applies to this Commission for permission to intervene in this proceeding pursuant to 4 CSR 240-2.075. In support of this application, Local 1439 state:

1. This matter involves an application filed by Atmos Energy Corporation ("Atmos") and Liberty Energy Corporation ("Liberty") relating to the sale of Missouri assets of Atmos to Liberty.

2. Local 1439 is a labor organization that represents 41 non-managerial, transmission and distribution gasworkers of Atmos' Missouri operations.

3. Local 1439 is an unincorporated association. However, since labor unions are not required to register their names as fictitious names with the Missouri Secretary of State, Local 1439 does not have evidence of any such registration. Local 1439 may be contacted at the address and telephone number listed here:

Michael D. Walter  
Business Manager  
IBEW Local 1439  
2121 59th Street  
St. Louis MO 63110  
(314) 644-6111

4. Though Local 1439 is an “association,” it does not seem to be the type of association to which 4 CSR 240-2.060(1)(J) and 4 CSR 240-2.075(3) is directed. It does not appear to be the intent of those regulatory subsections for Local 1439 to file a list of all of its members, and Local 1439 hereby respectfully requests a waiver of complying with said requirement. Should this Commission determine that Local 1439 must comply with the subsection, the required list will be tendered immediately.

5. All correspondence, communications, orders, and decisions of the Commission here should be sent to:

Sherrie A. Schroder, MBN 40949  
Michael A. Evans, MBN 58583  
HAMMOND and SHINNERS, P.C.  
7730 Carondelet Avenue, Suite 200  
St. Louis, Missouri 63105  
(314) 727-1015 (Telephone)  
(314) 727-6804 (Fax)  
[saschroder@hammondshinners.com](mailto:saschroder@hammondshinners.com) (E-mail)  
[mevans@hammondshinners.com](mailto:mevans@hammondshinners.com) (email)

6. Local 1439 does not have any pending actions or final unsatisfied judgments or decisions against it as contemplated by 4 CSR 240-2.060(1)(K).

7. Local 1439 does not have any annual reports or assessment fees that are overdue.

8. Local 1439 seeks permission to intervene in this matter pursuant to 4 CSR 240-2.075.

9. As the exclusive collective bargaining representative of certain of Atmos’ non-managerial Missouri employees, Local 1439 and the employees it represents have interests in this proceeding which are clearly different from those of Atmos, Liberty, the general public, or any other party. Where the public’s interests here are concentrated in

the safe and dependable delivery of power at a reasonable cost, Local 1439 and the employees it represents are additionally concerned with the impact the proposed sale could have on jobs, pensions, and other terms and conditions of employment. These separate interests could be adversely affected by a final order arising from the case.

10. No other party to this proceeding can adequately represent the additional, legitimate concerns of Local 1439 and the employees it represents here.

WHEREFORE, Local 1439 respectfully ask the Commission to grant this application and to permit Local 1439 to intervene here.

Respectfully submitted,

/s/ Sherrie A. Schroder  
SHERRIE A. SCHRODER, MBN 40949  
MICHAEL A. EVANS, MBN 58583  
HAMMOND and SHINNERS, P.C.  
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Attorneys for IBEW Local 1439

#### **VERIFICATION**

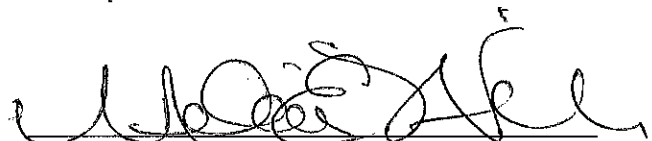
COMES NOW Sherrie A. Schroder and upon her oath states that she is a licensed attorney in good standing in Missouri, that she is familiar with the matters set forth in this application, and that the matters alleged are true and correct to the best of her knowledge, information, and belief. Ms. Schroder further states that she has been authorized to sign and file this application on behalf of Local 1439.

  
SHERRIE A. SCHRODER

Subscribed and sworn to before me this 24<sup>th</sup> day of August, 2011.

My Commission Expires:

MELANIE E. WILHELM  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires: February 28, 2015  
Commission Number: 11017667

  
Notary Public

**Certificate of Service**

The undersigned certifies that a true and correct copy of the foregoing was served on August 24, 2011, by United States mail, hand-deliver, email, or facsimile upon all parties by their attorneys of record as disclosed by the pleadings and orders herein.

/s/ Sherrie A. Schroder \_\_\_\_\_