

**STATE OF MISSOURI**

**Case No. GR-2008-0364**

# APPLICATION FOR REHEARING

RSMo and for its Application for Rehearing states:

1. OPC seeks rehearing of the Commission's November 9, 2011 Report and Order (Order) denying the Actual Cost Adjustment disallowances requested by the Commission's Staff and OPC.

2. The Order unlawfully misapplies the Commission's Affiliate Transaction Rules, 4 CSR 240-40.015 and 4 CSR 240-40.016, including the requirement that Atmos Energy Corporation follow the asymmetrical pricing standards and the recordkeeping requirements of the Rules. The Order is also unjust and unreasonable in that it is not based on facts that provide a sufficient basis to allow the Commission to conclude that the rates charged to Atmos' customers were just and reasonable.

WHEREFORE, the Office of the Public Counsel respectfully requests rehearing.

Respectfully submitted,

**/s/Marc D. Poston**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record this 18<sup>th</sup> day of November 2011.

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**/s/Marc D. Poston**

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