

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

In the Matter of the Application of)	
Atmos Energy Corporation for a Variance and)	Case No. GE-2009-0443
Waiver from the Provisions of)	
4 CSR 240-3.235.)	

JOINT MOTION TO SUSPEND PROCEDURAL SCHEDULE

COME NOW the Missouri Office of the Public Counsel ("Public Counsel") and Atmos Energy Corporation ("Atmos" or "Company") (collectively referred to as "Joint Movants"), by and through their respective counsel and, pursuant to Missouri Public Service Commission ("Commission") Rule 4 CSR 240-2.110(2), respectfully request the Commission to suspend the current procedural schedule in the above-referenced matter.

In support of their Motion, Joint Movants state as follows:

1. As noted in the Commission's July 30th *Order Resetting Hearing*,

. . . On July 29, 2009, the Office of the Public Counsel moved that the hearing be rescheduled to allow time for additional discovery and further settlement discussions between the parties. Atmos filed a response indicating its willingness to reschedule the hearing if it would not 'unduly delay' a decision. Atmos suggested the week of August 24th for the hearing. Staff of the Commission filed its response stating that it also believes a delay in the proceedings could help facilitate settlement of the issues. . . . (Order, page 1).

Accordingly, the Commission determined that the hearing and other procedural deadlines in this matter should be rescheduled as follows: the hearing was rescheduled to August 25-26, 2009, and the parties were directed to file their witness lists, proposed order of cross-examination, and position statements no later than August 20, 2009.

2. Joint Movants wish to advise the Commission that they have continued serious negotiations and it appears that Joint Movants have reached a resolution in

settlement of the issues in this case. Joint Movants anticipate filing a nonunanimous Stipulation and Agreement that should resolve this matter. For this reason, Joint Movants respectfully submit that good cause exists for suspending the current procedural schedule at this time, including the procedural filing due August 20, 2009, and the hearing currently scheduled for August 25-26, 2009.

3. Joint Movants have confirmed with counsel for the Staff that Staff does not object to the specific relief requested herein.

WHEREFORE, Joint Movants respectfully submit their motion requesting the Commission suspend the current procedural schedule in this matter.

Respectfully submitted,

/s/ Marc D. Poston by JMF

Marc D. Poston MBN 45722
Senior Public Counsel
P.O. Box 2230
Jefferson City, Missouri 65102
Telephone: (573) 751-5558
Facsimile: (573) 751-5562
E-mail: marc.poston@ded.mo.gov

Attorney for the Missouri Office of the
Public Counsel

/s/ James M. Fischer

James M. Fischer, MBN 27543
E-mail: jfischerpc@aol.com
Larry W. Dority, MBN 25617
E-mail: lawdority@sprintmail.com
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Telephone: (573) 636-6758

Douglas C. Walther, MBN 32266
Associate General Counsel
Atmos Energy Corporation
P.O. Box 650205
Dallas, Texas 75265-0205
Email: douglas.walther@atmosenergy.com
Telephone: (972) 855-3102

Attorneys for Atmos Energy Corporation

Certificate of Service

I hereby certify that a copy of the above and foregoing document was sent by electronic mail, or hand delivered, on this 19th day of August, 2009 to counsel of record.

/s/ James M. Fischer

James M. Fischer