

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

In the Matter of Atmos Energy Corporation's )  
Tariff Revision Designed to Consolidate Rates )  
and Implement a General Rate Increase for )  
Natural Gas Service in the Missouri Service )  
Area of the Company. )  
)

Case No. GR-2006-0387

**INITIAL JOINT LIST OF ISSUES; LIST OF WITNESSES AND ORDER OF  
CROSS-EXAMINATION**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and, on the behalf of the parties to this case, states:

On June 2, 2006, the Commission issued its *Order Concerning Test Year And True-Up And Adopting Procedural Schedule With Modifications* (Order) directing, among other things, that the “Staff shall be responsible for actually drafting and filing the list of issues and the other parties shall cooperate with Staff in the development thereof.” This Order also directed the parties to file a list of witnesses to appear on each day of the hearing and the order in which they shall be called, in addition to an order of cross-examination.

Whereas the parties continue to engage in productive settlement discussions regarding the issues of this case, the parties reserve the right to amend or supplement the list of issues, witnesses and order of cross-examination. Because this filing precedes the customary practice of filing the list of issues after surrebuttal testimony, the parties reasonably anticipate the need to modify this list of issues, witnesses and order of cross-examination as each party’s positions on these issues become clearer.

### **List of Issues and Witnesses**

1. What is the appropriate revenue requirement?
  - a. What is the appropriate level of expenses?
  - b. Should depreciation expense be reduced by a depreciation reserve amortization?
  - c. What is the appropriate return on equity?
2. What is the appropriate level of revenue excess/deficiency?
  - a. What is the appropriate level of special contract revenues to be included in the revenue requirement excess/deficiency determination?
3. Should class cost of service and rate design be addressed in a separate proceeding?
4. Should the company's districts be consolidated for purposes of setting no-gas rates in this case? If so, how?
5. Should the Company's PGAs be consolidated for purposes of setting gas rates in this case? If so, how?
6. Should Uncollectibles be recovered in PGA rates?
7. What are the appropriate customer classes?
8. What are the appropriate class revenues per district?
9. What is the appropriate class rate design?
10. Should the Commission allow weather mitigation, and if so, in what form?
11. Should seasonal reconnection charges be changed in this case? If so, how?
12. Should the following district specific miscellaneous utility related charges be consolidated and / or adjusted?
  - a. Activation (Connection, Reconnection, Transfer) Charge
  - b. Late Payment Charge

- c. Return Check Charge
13. What changes, if any, should the Commission make to the transportation tariffs?
    - a. Should a cash-out policy be implemented?
    - b. Should the Commission allow third party administered pools for cash-outs?
  14. What is the appropriate level for lost and unaccounted for gas?
  15. Should the Commission approve the Economic Development Rider as proposed by the Company?
  16. Should the Commission approve the R&D Rider as proposed by the Company?
  17. Should late payment charges be changed in this case? If so, how?
  18. Should the mains extension policy and associated rates be changed in this case? If so, how?
  19. Should the Commission recognize that Noranda's contract with Atmos is consistent with the cost of the service provided to Noranda?
  20. Should the Noranda/Atmos contract be incorporated into the tariffs as a rate schedule applicable only to Noranda and similarly situated customers, if any?

**Order of Cross-Examination**

Atmos Energy Corporation Witnesses: Staff, Hannibal Regional Hospital, Noranda, OPC

Staff Witnesses: Atmos, Hannibal Regional Hospital, Noranda, OPC

Hannibal Regional Hospital (no witnesses)

Noranda Aluminum, Inc. Witnesses: Atmos, Staff, Hannibal Regional Hospital, OPC

The parties are unable to provide a complete list of witnesses at this stage of the settlement discussions. Staff will supplement the list and order of witnesses after the filing of rebuttal testimony.

WHEREFORE, the Staff, filing on behalf of the parties to this case and consistent with the Commission's previous orders, submits this Initial Joint List of Issues; List of Witnesses and Order of Cross Examination as indicated above.

Respectfully submitted,

**/s/ Robert S. Berlin**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 24th day of October 2006.

**/s/ Robert S. Berlin**