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June 10, 2002

Secretary of the Missouri Public Service Commission 200 Madison Street, Suite 100 P.O. Box 360 Jefferson City, Missouri 65102-0360

RE: In the Matter of Associated Natural Gas Company's Tariff Revision Designed to Increase Rates for Gas Service to Customers in the Missouri Service Area of the Company, Case No. GR-97-272

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of Atmos Energy Corporation's Motion for Fourth Extension of Time to File Briefs. A copy of the foregoing Motion has been hand-delivered or mailed this date to each party of record.

Thank you for your attention to this matter.

Sincerely,

James M. Fischer

Jame M. Frika

/jr Enclosures

cc: Office of the Public Counsel
Dana K. Joyce, General Counsel
Dean Cooper/Gary Duffy
Robin Fulton

## BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

In the Matter of Associated Natural Gas Company's)
Tariff Revision Designed to Increase Rates for Gas
Service to Customers in the Missouri Service Area
of the Company.

Case No. GR-97-272

## ATMOS ENERGY CORPORATION'S MOTION FOR FOURTH EXTENSION OF TIME TO FILE BRIEFS

COMES NOW Atmos Energy Corporation (hereinafter "Atmos") and for its Motion For Fourth Extension Of Time To File Briefs states to the Missouri Public Service Commission ("Commission"):

- 1. On February 14, 2002, the Commission issued its Order Directing Filing in which the parties "shall, on or before Monday, March 25, 2002, prepare and file briefs regarding whether or not this matter has become moot due to intervening circumstances and must therefore be dismissed." The Order Directing Filing also stated that Atmos may file a brief on this issue as well.
- 2. On March 18, Atmos moved for a 30-day extension of the deadline to file briefs and advised the Commission that all parties had been consulted and that none opposed the extension. On March 26, 2002, the Commission granted this motion. On April 22, 2002, Atmos on behalf of the parties to this proceeding, requested a further extension of the deadline to May 15. This request was granted on April 29, 2002. On May 13, 2002, Atmos again on behalf of the parties, requested another extension of the deadline to June 15, 2002. This request was granted on May 17, 2002.
- 3. While Atmos is somewhat reluctant to ask for an additional extension, Atmos believes, as a matter of judicial economy and in order to save the various parties

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the time and expense of preparing their respective briefs at this time, it is appropriate to file this motion. The purpose of this motion is to request a further extension on the date for filing briefs by all parties, in order to give Atmos and Noranda additional time to finalize contract discussions that have been ongoing for several weeks. Atmos and Noranda continue to believe that they are close to being able to sign a contract which would resolve issues between Atmos and Noranda, and should make it unnecessary for the Commission to issue any further orders in this proceeding. In order to ensure that there will be sufficient time to complete these contract discussions, Atmos requests that the deadline for filing the briefs be extended to August 15, 2002.

4. All parties to the case have been contacted regarding this request, and all parties either support this request or have no objection.

WHEREFORE, for the reasons stated herein, Atmos respectfully requests the Commission to issue its order extending the date to file briefs by all parties until August 15, 2002.

Respectfully submitted,

James M. Fischer

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ATTORNEYS FOR ATMOS ENERGY CORPORATION

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this to day of June, 2002, to:

Office of the Public Counsel P.O. Box 7800 Jefferson City, Missouri 65102

Dana K. Joyce General Counsel P.O. Box 360 Jefferson City, Missouri 65102

Dean Cooper/Gary Duffy Brydon, Swearengen & England P.O. Box 456 Jefferson City, Missouri 65102

Robin Fulton Schnapp, Fulton, Fall, Silvey & Reid, LLC 135 East Main Fredericktown, MO 63645-0151

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