

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

In the matter of the verified application and)	
petition of Atmos Energy Corporation for)	Case No. GO-2009-0046
establishment of an infrastructure system)	Tariff Tracking No. YG-2009-0116
replacement surcharge.)	

NOTICE OF AGREEMENT

COMES NOW Atmos Energy Corporation ("Atmos" or "Company"), pursuant to the Commission's *Order Establishing Time To Respond To Staff Report* issued in this matter on October 9, 2008, and hereby notifies the Commission of Atmos' Agreement with the Staff Report:

1. On October 9, 2008, the Commission Staff ("Staff") filed a Staff Report that described Staff's examination and investigation of Atmos' Verified Application and Petition, supporting documentation and data regarding Atmos' proposed Infrastructure System Replacement Surcharge ("ISRS").

2. Based upon its investigation, the Staff recommends that the Commission issue an Order that:

1. Rejects the ISRS tariff sheet (YG-2009-0116) filed by Atmos on August 14, 2008;

2. Approves the Staff's determination of the ISRS surcharge revenues in the amount of annual pre-tax revenues of \$408,181, consisting of \$10,332 for the West District, \$99,622 for the Southeast District, and \$298,226 for the Northeast District; and

3. Authorize Atmos to file an ISRS rate for each customer class as reflected in Appendix B.¹

3. Having reviewed the October 9, 2008 Staff Report and its attached Appendices, Atmos hereby notifies the Commission that it is in agreement with the rates recommended therein and asks that the Commission issue an order as requested by Staff.

WHEREFORE, Atmos respectfully requests that the Commission consider this Notice of Agreement and, thereafter, issue an order consistent with the Staff Report.

Respectfully submitted,

/s/ Larry W. Dority

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¹ Staff Report, page 3, Appendix A, page 4 of 4.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Notice of Agreement was served on the General Counsel of the Staff of the Missouri Public Service Commission and the Office of the Public Counsel on this 14th day of October, 2008 by hand-delivery, fax, electronic or regular mail.

/s/ Larry W. Dority