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RICHARD T. CIOTTONE

July 31, 2001

Mr. Dale Hardy Roberts **Executive Secretary Public Service Commission** Governor State Office Building Jefferson City, MO 65102

Hand Delivery

Associated Natural Gas Company RE:

Case Nos. GR-96-227, GR-97-191, GR-98-399, GR-99-392, and GR-2000-573

Dear Mr. Roberts:

DAVID V.G. BRYDON

GARY W. DUFFY

PAUL A. BOUDREAU

SONDRA B. MORGAN

CHARLES E. SMARR

JAMES C. SWEARENGEN

WILLIAM R. ENGLAND, III

JOHNNY K. RICHARDSON

Enclosed please find an original and 45 copies of a "Notice of Withdrawal of Motion for Expedited Treatment" for filing in the above referenced cases. I have enclosed enough copies for nine to be filed in each of these five non-consolidated cases.

If you have any questions, please give me a call.

Sincerely yours,

Enclosures cc w/encl:

> Doug Micheel, Office of Public Counsel Lera Shemwell, Office of General Counsel Tim Schwarz, Office of General Counsel Jim Fischer Ricky Gunter Jeff Dangeau

BEFORE THE PUBLIC SERVICE COMMISSIONUL 3 1 2001
OF THE STATE OF MISSOURI

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|--|-------------|----------------------|------------|
| In the matter of Associated Natural Gas Company's Tariff Revisions to be Reviewed in its 1995-1996 Actual Cost |))) | Case No. GR-96-227 | -ommission |
| Adjustment. |) | | |
| In the matter of Associated Natural Gas |) | | |
| Company's Tariff Revision to be |) | Case No. GR-97-191 | |
| Reviewed in its 1996-1997 Actual Cost |) | | |
| Adjustment. |) | | |
| In the matter of Associated Natural Gas |) | | |
| Company's Purchased Gas Adjustment |) | | |
| Factors to be Reviewed in its 1997-1998 |) | Case No. GR-98-399 | |
| Actual Cost Adjustment. |) | | |
| In the matter of Associated Natural Gas |) | | |
| Company's Purchased Gas Adjustment |) | Case No. GR-99-392 | |
| Factors to be Reviewed in its 1998-1999 |) | | |
| Actual Cost Adjustment. |) | | |
| In the matter of Atmos Energy |) . | | |
| Corporation's Purchased Gas Adjustment |) | Case No. GR-2000-573 | |
| to be Reviewed in its 1999-2000 Actual |) | | |
| Cost Adjustment |) | | |

NOTICE OF WITHDRAWAL OF MOTION FOR EXPEDITED TREATMENT

COMES NOW Associated Natural Gas Company ("ANG"), by and through its counsel, and for its Notice of Withdrawal of Motion for Expedited Treatment, respectfully states as follows:

1. On July 17, 2001, ANG, the Staff of the Commission ("Staff"), the Office of the Public Counsel ("Public Counsel"), and Atmos Energy Corporation ("Atmos"), submitted to the Commission a "Settlement Agreement and Release" and a "Motion for Expedited Treatment."

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The settlement document reflected a unanimous settlement which had been achieved between the parties to the above-captioned proceedings.

- 2. The Commission held a Question and Answer Session on the record in this matter on Wednesday, July 25, 2001.
- 3. The Parties to the Settlement Agreement and Release are working to address the questions and concerns raised by the Commission. The pending oral argument in a circuit court case which was a subject of the Settlement Agreement and Release, which had been the driving factor for Commission action prior to August 1, 2001, has now been temporarily postponed after consultation with the circuit judge.
- 4. The Parties therefore wish to advise the Commission that there is no longer the same urgency for Commission approval of the Settlement Agreement and Release, that the Parties are working on a revised version of the document, and that as soon as it is finalized it will be presented to the Commission. Therefore, there is no need for the Commission to take any formal action on the Settlement Agreement and Release that was submitted on July 17, 2001, and there is no need for the Motion for Expedited Treatment.
- 5. Counsel for the Commission, Public Counsel, Atmos and the Staff have reviewed and consented to the filing of this notice. There are no other parties involved in the referenced cases.

WHEREFORE, ANG, for itself and on behalf of Public Counsel, the Staff, and Atmos, hereby withdraws the previously filed Motion for Expedited Treatment.

Respectfully submitted,

Gary W. Duffy L

MBE # 24905

Brydon, Swearengen & England, P.C.

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P.O. Box 456

Jefferson City, Missouri 65102-0456

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was hand delivered this 31st day of July, 2001, to the Office of the Public Counsel, the Office of the General Counsel, and counsel for Atmos Energy Corporation.

Gary W. Duffy?

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