

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
December 20, 1999**

CASE NO: GM-2000-312

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

Thomas M. Byrne
720 Olive Street
St. Louis, Mo 63101

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)	
Atmos Energy Corporation and Arkansas)	
Western Gas Company, d/b/a Associated)	
Natural Gas Company, for an Order)	
Authorizing the Sale and Transfer of)	
Certain Assets of Associated Natural Gas)	
Company Located in Missouri to Atmos)	<u>Case No. GM-2000-312</u>
Energy Corporation and Either Authorizing)	
the Transfer of Existing Certificates of)	
Public Convenience and Necessity or)	
Granting a New Certificate of Public)	
Convenience and Necessity to Atmos Energy)	
Corporation in Conjunction with Same.)	

ORDER ADOPTING PROCEDURAL SCHEDULE

On November 2, 1999, Atmos Energy Corporation (Atmos) and Arkansas Western Gas Company, d/b/a Associated Natural Gas Company (ANG) filed a joint application requesting Commission approval of the sale to Atmos of the Missouri assets of ANG. The following parties were allowed to intervene in this case: Noranda Aluminum, Inc.; the International Brotherhood of Electrical Workers, Local Union No. 1439; the City of Appleton City, Missouri; the City of Campbell, Missouri; and the City of Malden, Missouri.

On December 17, following a prehearing conference, the parties jointly filed a Proposed Procedural Schedule. That document indicates that all parties have agreed upon the proposed procedural schedule and request that the Commission adopt it.

The Commission has reviewed the proposed procedural schedule and finds it to be generally appropriate. However, the proposed procedural schedule does not include a date for a prehearing conference. A prehearing conference is helpful to allow the parties to have one more face-to-face discussion about the case prior to the filing of surrebuttal testimony and submission of the list of issues and statements of position. Therefore, a prehearing conference will be scheduled. In addition, the schedule has been adjusted to allow additional time between the filing of the statements of positions of the parties and the start of the hearing.

The Commission will apply the conditions set out below to the procedural schedule in this case.

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. The Commission will view any issue not contained in this list of issues as uncontested and not requiring resolution.

(D) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and shall not contain argument about why the party believes its position to be the correct one.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled,

the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

IT IS THEREFORE ORDERED:

1. That the following procedural schedule is adopted for this case, subject to the conditions discussed above:

<u>Date</u>	<u>Event</u>
January 14, 2000, 3:00 p.m.	Direct Testimony by Atmos and ANG
March 1, 2000, 3:00 p.m.	Rebuttal Testimony by all other parties
March 9, 2000, 10:00 a.m.	Prehearing Conference
March 15 2000, 3:00 p.m.	Surrebuttal Testimony to be filed by all parties
March 21, 2000, 3:00 p.m.	List of Issues to be filed by Staff
March 28, 2000, 3:00 p.m.	Statements of Positions to be filed by all parties.
April 4-5, 2000, 8:30 a.m.	Hearing

2. That the prehearing conference and the evidentiary hearing will be held in the Commission's office on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Anyone wishing to attend who has special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the prehearing conference at: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

3. That this order shall become effective on December 30, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

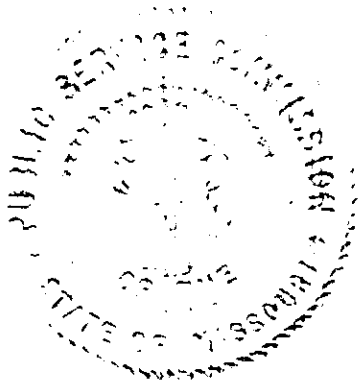
Dated at Jefferson City, Missouri,
on this 20th day of December, 1999.


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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson
City, Missouri, this 20th day of December 1999.





Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge