

**FISCHER & DORITY**  
PROFESSIONAL CORPORATION

James M. Fischer  
Larry W. DORITY

Attorneys at Law  
Regulatory & Governmental Consultants

101 West McCarty, Suite 215  
Jefferson City, MO 65101  
Telephone: (573) 636-6758  
Fax: (573) 636-0383

January 28, 2000

**FILED<sup>2</sup>**

JAN 28 2000

Missouri Public  
Service Commission  
GR-2000-392

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 3660  
Jefferson City, Missouri 65102

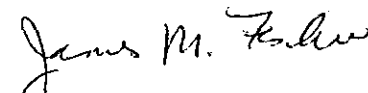
RE: In the matter of United Cities Gas Company's Request for Variance from Provisions of its 4<sup>th</sup> Revised Tariff Sheet No. 58 which Requires that its ACA Balance Be Recovered Over a One-Year Period and in Lieu thereof, Requests Authority to Recover its ACA Balance Over a Two-Year Period

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and fourteen (14) copies of United Cities Gas Company's Request for Variance for the Bowling Green District. A copy of the foregoing Request for Variance has been hand-delivered or mailed this date to parties of record.

Thank you for your attention to this matter.

Sincerely,

  
James M. Fischer

/jr  
Enclosures

cc: Office of the Public Counsel

200000673

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED<sup>2</sup>  
JAN 28 2000

Missouri Public  
Service Commission

In the matter of United Cities Gas Company's )  
Request for Variance from Provisions of its )  
4<sup>th</sup> Revised Tariff Sheet No. 58 which Requires )  
that its ACA Balance Be Recovered Over a )  
One-Year Period and in Lieu thereof, Requests )  
Authority to Recover its ACA Balance Over a )  
Two-Year Period. )

Case No. GR2000-392

Tariff File No. 200000673

**REQUEST FOR VARIANCE FROM TARIFF PROVISIONS**

COMES NOW United Cities Gas Company, a division of Atmos Energy Corporation ("UCGC") or ("Company"), by and through its attorney, and requests that the Missouri Public Service Commission ("Commission") grant a variance from the provisions of UCGC's tariffs, for good cause shown, and permit UCGC to recover the current balance in its Actual Cost Adjustment ("ACA") account for the Bowling Green District over a two-year period, rather than over a one-year period as required by the 4<sup>th</sup> Revised Sheet No. 58 of UCGC's tariffs. In support of its Request for Variance, UCGC states as follows:

1. On November 29, 1999, UCGC filed its Purchased Gas Adjustment ("PGA") tariff (i.e., 83<sup>rd</sup> Revised Sheet No. 47 [P.S.C. Mo. No. 3]), which was designed to reflect a revised PGA applicable to its Bowling Green District. The filing reflected an increase in rates of 14.15% for January 2000. This filing followed the procedures of UCGC's 4<sup>th</sup> Revised Tariff Sheet No. 58, which requires recovery from ratepayers of the balance over a one-year period. On December 28, 1999, UCGC also filed its 84<sup>th</sup> Revised Sheet No. 47 which was designed to reflect a slightly lower commodity cost than the commodity cost included in the November 29, 1999 filing. As a result,

there will be a slight decrease in rates for the Bowling Green District when it becomes effective on February 1, 2000. However, the most recent filing continued to follow the procedures of UCGC's 4<sup>th</sup> Revised Tariff Sheet No. 58, including recovery of the ACA balance over a one-year period.

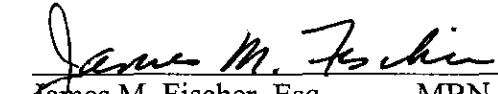
2. In order to mitigate the substantial increase in rates that have occurred during this winter season, UCGC respectfully requests that it be permitted to modify the procedures contained in its PGA tariffs to permit it to recover the ACA balance over a two-year period rather than a one-year period. Simultaneously with the filing of this Request for Variance, UCGC is filing an 85<sup>th</sup> Revised Sheet No. 47 (P.S.C. Mo. No. 3) which is designed to cancel the 84<sup>th</sup> Revised Sheet No. 47. The 85<sup>th</sup> Revised Sheet No. 47 has an effective date of March 1, 2000. If the variance is approved, the ACA portion of the total PGA will be reduced by 49.96%, from January 1, 2000 to March 1, 2000, for the Bowling Green District. Natural gas rates would decrease by 5.2% for the Bowling Green District, as of March 1, 2000.

3. By approving this Request for Variance, UCGC will be permitted to lessen the substantial increase in rates in the Bowling Green District which would otherwise result from its normal PGA/ACA procedures. As a result, it is in the public interest to grant the requested variance, for good cause shown.

WHEREFORE, Applicant United Cities Gas Company, a division of Atmos Energy Corporation, respectfully requests the Commission to grant it a variance from the provisions of its

tariffs, as discussed herein, and permit the Company to recover from ratepayers the ACA balance over a two-year period.

Respectfully submitted,

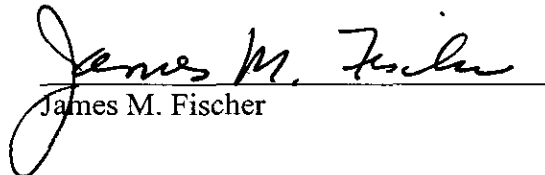
  
James M. Fischer, Esq. MBN 27543  
FISCHER & DORITY, P.C.  
101 West McCarty Street, Suite 215  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383

Attorney for United Cities Gas Company,  
a division of 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, First Class, postage prepaid, this 28<sup>th</sup> day of January 2000, to:

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

  
James M. Fischer