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May 11, 2000

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P. O. Box 360  
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**FILED**

MAY 11 2000

Missouri Public  
Service Commission

**RE: Case No. GM-2000-312**

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Dennis L. Frey  
Assistant General Counsel  
(573) 751-8700  
(573) 751-9285 (Fax)

DLF/lb  
Enclosure  
cc: Counsel of Record

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

**FILED**

MAY 11 2000

Missouri Public  
Service Commission

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 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. )

Case No. GM-2000-312

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff")  
and for its Recommendation respectfully states as follows:

1. On March 29, 2000, the parties submitted their Unanimous Stipulation and Agreement ("Agreement") in settlement of all issues in this case.
2. On April 20, 2000, the Commission issued its Order Approving Stipulation and Agreement, which, among other things, authorized Atmos Energy Corporation ("Atmos") to provide gas service in the areas previously served by Arkansas Western Gas Company, d/b/a Associated Natural Gas Company ("ANG") in accordance with the rules, regulations, rates and tariffs of ANG "as may be on file with and approved by the Commission on the effective date of the sale."
3. On May 1, 2000, Atmos filed an Adoption Notice tariff sheet stating that Atmos has purchased ANG effective June 1, 2000 and adopting, ratifying and making its

34

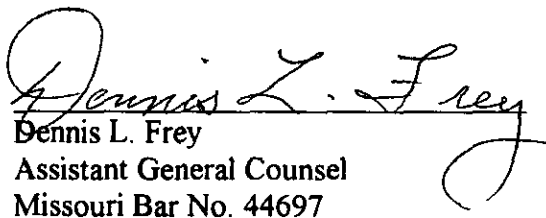
(i.e., Atmos') own in every respect, as if the same had been filed by Atmos, " all tariffs, schedules, and rules and regulations of ANG filed with and approved by the Commission before June 1, 2000. The Adoption Notice carries an effective date of June 1, 2000.

4. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Adoption Notice tariff sheet, which Staff finds to be in compliance with the aforementioned Commission Order, be permitted to go into effect on June 1, 2000.

**WHEREFORE**, the Staff respectfully requests that the Commission issue its Order in accordance with Staff's Memorandum, attached hereto.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

  
Dennis L. Frey  
Assistant General Counsel  
Missouri Bar No. 44697

Attorney for the Staff of the  
Missouri Public Service Commission  
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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand delivered to all counsel of record as shown on the service list below on this 11th day of May 2000.

Dennis L. Frey

MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. GM-2000-312, File No. 200000996,  
Atmos Energy Corporation and Arkansas Western Gas Company, d/b/a Associated  
Natural Gas Company

FROM: David Broadwater, Financial Analyst, Project Coordinator *fm DB*  
Thomas M. Imhoff, Regulatory Auditor IV *TM Imhoff*

*David Broadwater* 5/10  
Project Coordinator/Date

*Thomas R. Schwanz Jr.* 5/11/00 *D.L.F.*  
General Counsel's Office/Date *5-11-00*

SUBJECT: Staff Recommendation on a Tariff Sheet Filed to Comply with Commission Order  
Approving Stipulation and Agreement Issued April 20, 2000

DATE: May 5, 2000

On May 1, 2000, Atmos Energy Corporation (Atmos or Company) of Dallas, Texas filed a tariff sheet with an effective date of June 1, 2000. The purpose of this filing is to comply with the Missouri Public Service Commission's (Commission) ORDER APPROVING STIPULATION AND AGREEMENT (Order) in Case No. GM-2000-312, where Atmos was authorized to acquire the Missouri assets of Arkansas Western Gas Company d/b/a Associated Natural Gas (ANG), and to file an adoption notice assuming control and ownership of the service area, rules, regulations, rates and tariffs of ANG granted by the Commission.

The Commission's Order states, "That Atmos Energy Corporation is granted a Certificate of Public Convenience and Necessity to provide gas service in the current service areas of Arkansas Western Gas Company, d/b/a Associated Natural Gas Company as a public utility subject to the jurisdiction of the Commission". Atmos is authorized to provide service in the areas previously served by ANG in accordance with the rules, regulations, rates and tariffs currently on file with and approved by the Commission. The provisions of the Unanimous Stipulation and Agreement direct Atmos to file a tariff sheet containing an adoption notice to be effective on the effective date of the sale.

The Commission's Gas Department – Tariffs/Rate Design Staff (Staff) has reviewed the filed tariff sheet and is of the opinion that it is in compliance with the Commission's Order issued on April 20, 2000. Staff is unaware of any issue currently pending before the Commission that affects or is affected by this filing. Therefore, Staff recommends that the following tariff sheet filed on May 1, 2000, be allowed to become effective for service on and after June 1, 2000:

P.S.C. MO. No. 6

Original Sheet No. A

**Service List for  
Case No. GM-2000-312  
May 11, 2000**

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