

In the Matter of the Application of Atmos Energy Corporation for a Variance and Waiver from the Provisions of 4 CSR 240-3.235.)) File No. GE-2009-0443)

COMES NOW Noranda Aluminum, Inc., (Noranda) by and through counsel R. Scott Reid of Schnapp, Fall, Silvey & Reid, LLC, and for its Response to Atmos Energy Corporation's Application for Variance and Waiver states to the Commission as follows:

1. Noranda does not oppose the approval of Atmos Energy's Application for a Variance and Waiver.
2. Noranda suggests that the approval of the requested waiver should not be conditioned upon Atmos filing its next rate case in 2009 as suggested by the Staff. The conditions attached to approving the requested variance should not inadvertently or unnecessarily lead to an accelerated rate case filing.

WHEREFORE, Noranda Aluminum, Inc. requests that the Commission's approval of Atmos Energy's Application for Variance and Waiver, if any, be limited to Atmos Energy's next rate case whether filed in 2009 or later and that the Commission grant Noranda such other and further relief as the Commission deems just and appropriate under the circumstances.

SCHNAPP, FALL, SILVEY & REID, LLC

By: /s/ R. Scott Reid
R. Scott Reid No. 42841
135 East Main Street, P.O. Box 151
Fredericktown, MO 63645
573-783-7212
Attorney for Noranda Aluminum, Inc.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing sent, via electronically and by United States Postal Service, with proper first-class postage affixed, on this 13th day of July 2009, to:

General Counsel's Office
P.O. Box 360
200 Madison Street, Suite 800
Jefferson City, MO 65102

Atmos Energy Corporation
Mark Martin
3275 Highland Pointe Drive
Owensboro, KY 42303

Atmos Energy Corporation
Douglas Walther
Three Lincoln Centre, Suite 1800
5340 LBJ Freeway
Dallas, TX 75240

Atmos Energy Corporation
Larry Dority
101 Madison, Suite 400
Jefferson City, MO 65101

Atmos Energy Corporation
James Fischer
101 Madison Street, Suite 400
Jefferson City, Mo 65101

Lewis R. Mills, Jr.
P.O. Box 2230
200 Madison Street, Suite 650
Jefferson City, MO 65102

Hannibal Regional Hospital
Stuart Conrad
3100 Broadway, Suite 1209
Kansas City, MO 64111

Hannibal Regional Hospital
David Woodsmall
428 E. Capitol Avenue, Suite 300
Jefferson City, MO 65101

/s/ R. Scott Reid
R. Scott Reid