

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

In the Matter of the Verified Application     )  
and Petition of Atmos Energy Corporation    ) **Case No. GO-2010-0168**  
to Change its Infrastructure System            ) **Tariff No. YG-2010-0369**  
Replacement Surcharge.                        )

**NOTICE OF AGREEMENT**

**COMES NOW** Atmos Energy Corporation (“Atmos” or “Company”), pursuant to the Commission’s *Order Suspending Tariff, Order Directing Filings and Publication of Notice, and Notice of Contested Case* previously entered in this matter, and hereby notifies the Commission of Atmos’ Agreement with the Staff Recommendation filed herein and respectfully states as follows:

1. On February 1, 2010, the Commission Staff (“Staff”) filed a Staff Recommendation that described Staff’s examination and investigation of Atmos’ Verified Application and Petition, supporting documentation and data regarding Atmos’ proposed increase to its existing Infrastructure System Replacement Surcharge (“ISRS”).

2. Based upon its investigation, the Staff recommends that the Commission issue an Order that:

1. Rejects the ISRS tariff sheet (YG-2010-0369) filed by Atmos on December 1, 2009;
2. Approves the Staff’s determination of the incremental ISRS surcharge revenues in the amount of annual pre-tax revenues of \$563,466, consisting of \$24,952 for the West District, \$118,879 for the Southeast District, and \$419,634 for the Northeast District; and
3. Authorize Atmos to file an ISRS rate for each customer class as reflected in Appendix B. The three districts will generate

cumulative annual revenues of \$971,645, consisting of \$35,284 for the West District, \$218,501 for the Southeast District, and \$717,860 for the Northeast District.<sup>1</sup>

3. Having reviewed the February 1, 2010 Staff Recommendation and its attached Appendices, Atmos hereby notifies the Commission that it is in agreement with the rates recommended therein and asks that the Commission issue an order as requested by Staff.

WHEREFORE, Atmos respectfully requests that the Commission consider this Notice of Agreement and, thereafter, issue an order consistent with the Staff Recommendation.

Respectfully submitted,

**/s/ Larry W. Dority**

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<sup>1</sup> Staff Recommendation, page 2, Appendix A, page 3 of 4.

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Notice of Agreement was served on the General Counsel of the Staff of the Missouri Public Service Commission and the Office of the Public Counsel on this 2<sup>nd</sup> day of February, 2010 by hand-delivery, fax, electronic or regular mail.

**/s/ Larry W. Dority**