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June 30, 2006

**VIA HAND DELIVERY**

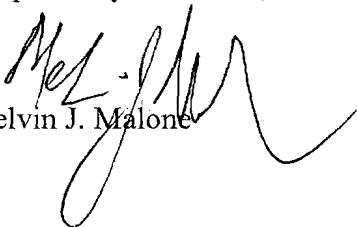
Honorable Ron Jones, Chairman  
c/o Sharla Dillon, Docket & Records Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

**RE: *In Re: Petition to Open An Investigation to Determine Whether Atmos Energy Corp. Should Be Required by The Tennessee Regulatory Authority to Appear And Show Cause That Atmos Energy Corp. Is Not Overearning in Violation of Tennessee Law And That It Is Charging Rates That Are Just And Reasonable, TRA Docket No. 05-00258***

Dear Chairman Jones:

Please find enclosed thirteen (13) copies and one (1) original of the *Petition of Atmos Energy Marketing, LLC Requesting Full Intervention*. An additional copy of this filing is enclosed to be "file stamped" for our records. All parties of record have been served.

Respectfully submitted,

  
Melvin J. Malone

clw  
Enclosures

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: PETITION TO OPEN AN )  
INVESTIGATION TO DETERMINE )  
WHETHER ATMOS ENERGY CORP. )  
SHOULD BE REQUIRED BY THE )  
TENNESSEE REGULATORY )  
AUTHORITY TO APPEAR AND SHOW )  
CAUSE THAT ATMOS ENERGY CORP. )  
IS NOT OVEREARNING IN VIOLATION )  
OF TENNESSEE LAW AND THAT IT IS )  
CHARGING RATES THAT ARE JUST )  
AND REASONABLE )

Docket No. 05-00258

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**PETITION OF ATMOS ENERGY MARKETING, LLC  
REQUESTING FULL INTERVENTION**

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Atmos Energy Marketing, LLC (“AEM” or “Petitioner”), by and through its undersigned counsel, hereby seeks leave to intervene in the above-captioned proceeding pursuant to Tenn. Code Ann. § 4-5-310. In support of this petition, Petitioner states as follows:

1. Petitioner is a full-service natural gas marketing company that provides supply and asset management services to various types of natural gas users.

2. At its May 15, 2006, Authority Conference, the Presiding Panel in TRA Docket No. 05-00258 convened a contested case for the purpose of establishing a fair and reasonable return for Atmos Energy Corporation.<sup>1</sup>

3. On June 14, 2006, the Hearing Officer in TRA Docket No. 05-00258 issued the *Order Resolving Discovery and Protective Order Disputes and Requiring Filings* (the “*Discovery Order*”). In the *Discovery Order*, the Hearing Officer, among other things, ordered Atmos Energy

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<sup>1</sup> TRA Transcript of Proceeding (Authority Conference), *In Re: Petition of the Consumer Advocate to Open An Investigation to Determine Whether Atmos Energy Corp. Should Be Required by the Tennessee Regulatory Authority to Appear and Show Cause that Atmos Energy Corp. Is Not Overearning in Violation of Tennessee Law and That It Is Charging Rates That Are Just and Reasonable*, TRA Docket No. 05-00258 (May 15, 2006).

Corporation to produce various information, including information related to and concerning AEM.

4. On June 16, 2006, Atmos Energy Corporation submitted its *Motion for Expedited Review of Hearing Officer Order*, seeking review of certain portions of the *Discovery Order*.

5. On June 23, 2006, AEM submitted a *Petition to Intervene*, in which it sought intervention for the limited purpose of addressing the intervention of Atmos Intervention Group, Director Miller's June 8, 2006, letter, and Mr. Earl Burton's June 16, 2006, Affidavit. AEM's petition was granted by the Authority on June 26, 2006.<sup>2</sup>

6. On June 26, 2006, the Presiding Panel in this matter modified TRA Docket No. 05-00258.<sup>3</sup> In sum, the Presiding Panel bifurcated TRA Docket No. 05-00258 into two (2) separate proceedings/tracks within Docket No. 05-00258. As determined by the Panel, Track II will concern "asset management, imputation of earnings, performance-based ratemaking and . . . other income."<sup>4</sup>

7. Given the *Discovery Order* and the action taken by the Presiding Panel on June 26, 2006, Petitioner's legal rights, duties, privileges, immunities or other legal interests may be determined in this proceeding.

8. Because of its interest in this proceeding, Petitioner respectfully seeks full intervention in this matter.

9. The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing the requested intervention.

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<sup>2</sup> TRA Transcript of Excerpt of Authority Conference, *In Re: Petition of the Consumer Advocate to Open An Investigation to Determine Whether Atmos Energy Corp. Should Be Required by the Tennessee Regulatory Authority to Appear and Show Cause that Atmos Energy Corp. Is Not Overearning in Violation of Tennessee Law and That It Is Charging Rates That Are Just and Reasonable*, TRA Docket No. 05-00258, p. 8 (June 26, 2006) (hereinafter "*June 26, 2006 Transcript*").

<sup>3</sup> *June 26, 2006 Transcript* at 3-6.

<sup>4</sup> *Id.* at 3-4.

10. Should the requested intervention be granted, all notices, pleadings, orders, documents and the like in this proceeding should be provided to:

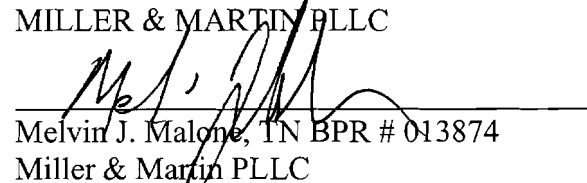
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Based on the foregoing considerations, Petitioner urges the Authority to grant this request for full intervention.

Respectfully Submitted,

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Attorneys for Atmos Energy Marketing, LLC

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been e-mailed or faxed and mailed to the following parties of interest this 30<sup>th</sup> day of June, 2006.

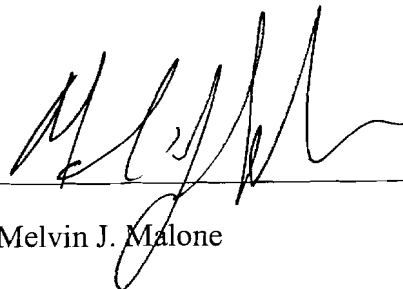
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