

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: PETITION TO OPEN AN	)	
INVESTIGATION TO DETERMINE	)	
WHETHER ATMOS ENERGY CORP.	)	
SHOULD BE REQUIRED BY THE TRA	)	Docket No. 05-00258
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	)	

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**ATMOS ENERGY CORPORATION'S SUPPLEMENTAL RESPONSES TO  
SECOND DISCOVERY REQUESTS OF THE CONSUMER ADVOCATE AND  
PROTECTION DIVISION TO ATMOS ENERGY CORPORATION**

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**INTRODUCTION**

In accordance with *Tennessee Rule of Civil Procedure* 26.05, Atmos Energy Corporation ("Atmos") submits this Supplemental Response to the Second Discovery Request from the Consumer Advocate and Protection Division ("CAPD" and "CAPD Second Discovery Request(s)"). Specifically, Atmos is supplementing its prior response to CAPD Second Discovery Request Part II, No. 2.

**SUPPLEMENTAL RESPONSE**

*(For convenience and context, Atmos has reset forth the entirety of the discovery request in this Supplemental Response; however, that portion of the request which is being supplemented is **bolded and underlined**.)*

**PART II: QUESTIONS REGARDING COST OF CAPITAL**

2. Dr. Murry testified, "Recognizing that rates from this proceeding will be in effect for a number of years, I also recognized prices over a longer period of time" Murry Direct at 26, lines 2-4. Please provide the following documents and information:

- a. Any Board minutes recorded from September 30, 2001 through July 21, 2006 and/or any other material in the possession of the Company or its agents, including consultants, where the Company or its agents discuss or consider the potential sale of Atmos's assets in Tennessee;
- b. Any Board minutes recorded from September 30, 2001 through July 21, 2006 and/or any other material in the possession of the Company or its agents, including consultants, where the Company or its agents discuss or consider the potential issuance of common stock;

**c. Atmos's own projections of its annual equity ratio for the fiscal years ending September 30 of the years 2007, 2008, 2009, 2010 and 2011;**

**RESPONSE:**

**2007 42%**

**2008 43%**

**2009 44%**

**2010 46%**

**2011 Projections are not completed**

**These are long-range projections as of September 2005 and are still the most recent projections available.**

**d. Atmos's own projections of its new stock and debt issues for the fiscal years ending September 30 of the years 2007, 2008, 2009, 2010 and 2011;**

**RESPONSE:**

**Each year Atmos assumes \$50 million of stock issuances through its stock plans.**

**It makes no other projections regarding equity and debt.**

**e. Atmos's own projections of its annual earnings per share of common stock for the fiscal years ending September 30 of the years 2007, 2008, 2009, 2010 and 2011;**

**RESPONSE:**

**2007 \$1.88**

**2008 \$1.97**

**2009 \$2.05**

**2010 \$2.06**

**2011 Projections are not completed**

**These are long-range projections as of September 2005 and are still the most recent projections available.**

**f. Atmos's own projections of its dividends per share of common stock for the fiscal years ending September 30 of the years 2007, 2008, 2009, 2010 and 2011.**

Respectfully Submitted,

BAKER, DONELSON, BEARMAN  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been hand-delivered, e-mailed or faxed and mailed to the following parties of interest this 7th day of August, 2006.

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