

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

**August 18, 2006**

Filed electronically on 8/18/06 @1:44pm

*In re: Petition to Open an Investigation to )  
Determine Whether Atmos Energy Corp. Should be )  
Required by the TRA 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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**SUPPLEMENTAL AND AMENDED RESPONSE TO DISCOVERY  
FROM ATMOS INTERVENTION GROUP**

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The Atmos Intervention Group ("AIG") submits the following supplemental and amended responses to Discovery Questions 11, 16, 17, and 18 submitted by Atmos Energy Corporation.

**11. Identify the exact name of the customers that engaged you (i.e. the specific Atmos customers that comprise the Intervention Group).**

**RESPONSE:**

[Add] Wellmont Health Systems

**16. Produce all documents constituting, relating or referring to engagement agreements and other communications between the Intervention Group and William H. Novak (or WHN Consulting).**

**RESPONSE:**

[Strike the answer and substitute] See attached contract between Tennessee Energy Consultants and WHN Consulting.

17. How much are you [Hal Novak] being paid for your services in this case? Please identify your hourly rate, how many hours you spent preparing your testimony, and the total billings in this case to date.

**RESPONSE:**

[Strike the first sentence and substitute] Mr. Novak will receive \$10,000 upon completion of Phase I of Docket 05-00258.

18. Who is paying your invoices for your work in this case? Produce all documents constituting, relating or referring to any payments made to Hal Novak or WHN Consulting for services rendered in this case, including but not limited to copies of all drafts, checks invoices, and billing letters.

**RESPONSE:**

See response to 16.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

Henry M. Walker (No. 000272)  
1600 Division Street, Suite 700  
P.O. Box 340025  
Nashville, Tennessee 37203  
(615) 252-2363

## **WHN CONSULTING**

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19 Morning Arbor Place  
The Woodlands, TX 77381

August 16, 2006

### **PROPOSAL FOR SERVICES CONFIDENTIAL**

Earl Burton  
Tennessee Energy Consultants  
100 E. 10<sup>th</sup> Street Suite 401  
Chattanooga TN 37402

Dear Mr. Burton,

This is a proposal for natural gas advisory services to Tennessee Energy Consultants ("TEC") and William H. Novak doing business as WHN Consulting. ("WHN"). The scope of this proposal covers services related to providing expert testimony on gas related issues in TRA Docket No. 05-00258

#### **Scope of Services:**

WHN will research and analyze natural gas rate and tariff issues that impact large industrial gas users represented by the Atmos Intervention Group in Docket No. 05-00258.

WHN will research and analyze similar natural gas rate and tariff from other gas distribution companies regulated by the Tennessee Regulatory Authority.

WHN will draft new tariff language that modernizes Atmos Energy's rates and tariffs, and more accurately reflects the costs of service, and facilitates a more competitive market for gas supply for the Atmos Intervention Group.

WHN will confer with TEC on various tariff and rate proposals. TEC will in turn meet with the individual members of the Atmos Intervention Group to convey issues and objectives of the Atmos Intervention Group intervention.

WHN will provide expert testimony on the TRA Docket No. 05-00258, addressing tariff and rate issues of the Atmos Intervention Group.

Tennessee Energy Consultants  
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Services will be provided under the following contract terms:

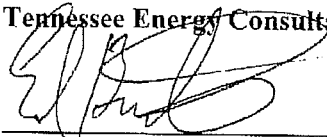
Fee on Recoveries	Compensation
Phase I of Docket 05-00258	\$10,000
Phase II of Docket 05-00258	To be determined

**Payment:**

Payment for services will be billed and remitted within 90 days of completed work. WHN and TEC may agree to an alternate payment schedule to be billed and paid over a predetermined time period.

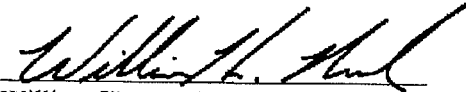
Either party has the right to terminate consulting services covered by this agreement with notice in writing.

**Tennessee Energy Consultants:**



Earl Burton

**WHN Consulting:**



William H. Novak

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing is being forwarded via email and U.S. mail, postage prepaid, to:

Vance L. Broemel  
Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202  
vance.broemel@state.tn.us

Joe A. Conner  
Misty Smith Kelley  
Baker, Donelson, Bearman & Caldwell  
1800 Republic Centre  
633 Chestnut Street  
Chattanooga, TN 37450-1800  
mkelley@bakerdonelson.com  
jconner@bakerdonelson.com

Patricia J. Childers  
VP-Regulatory Affairs  
Atmos/United Cities Gas Corp.  
810 Crescent Centre Drive, Ste. 600  
Franklin, TN 37064-5393  
pat.childers@atmosenergy.com

J. W. Luna  
Farmer & Luna  
333 Union Street, Ste. 300  
Nashville, TN 37201  
jwlunc@farmerluna.com

Gary Hotvedt  
Tennessee Regulatory Authority  
460 James Robertson Pkwy.  
Nashville, TN 37243-0505  
gary.hotvedt@state.tn.us

Melvin J. Malone  
Miller & Martin  
2300, One Nashville Place  
150 4<sup>th</sup> Avenue North  
Nashville, TN 37219-2433  
mmalone@millermartin.com

on this the 18<sup>th</sup> day of August 2006.

  
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Henry M. Walker