

WALLER LANSDEN DORTCH & DAVIS, LLP

NASHVILLE CITY CENTER
511 UNION STREET, SUITE 2700
NASHVILLE, TENNESSEE 37219-8966
(615) 244-6380
FAX: (615) 244-6804
www.wallerlaw.com

1901 SIXTH AVENUE NORTH, SUITE 1400
BIRMINGHAM, ALABAMA 35203-2623
(205) 214-6380

520 SOUTH GRAND AVENUE, SUITE 800
LOS ANGELES, CALIFORNIA 90071
(213) 362-3680

D. Billye Sanders
(615) 850-8951
billye.sanders@wallerlaw.com

May 14, 2007

VIA HAND DELIVERY

Sarah Kyle, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37219

Re: Atmos Energy Corporation Tariff Filing to Modify and add
Language regarding Transportation Service
Docket No. 07-00020

Dear Chairman Kyle:

Enclosed you will find original and thirteen copies of Stand Energy Corporation's Reply to Atmos Energy Corporation's Response to Petition to Intervene of Stand Energy Corporation and Complaint of Stand Energy Corporation Docket No. 07-00020.

Sincerely,



D. Billye Sanders
Attorney for Stand Energy
Corporation

cc: John M. Dosker, General Counsel, Stand Energy Corporation
Parties of Record

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

**ATMOS ENERGY CORPORATION)
TARIFF FILING TO MODIFY AND)
ADD LANGUAGE REGARDING) Docket No. 07-00020
TRANSPORTATION SERVICE)**

**REPLY TO ATMOS ENERGY CORPORATION'S RESPONSE TO
PETITION TO INTERVENE OF STAND ENERGY CORPORATION
AND
COMPLAINT OF STAND ENERGY CORPORATION**

Stand Energy Corporation ("Stand Energy") hereby files its Reply to Atmos Energy Corporation's ("Atmos") Response to Stand Energy's Petition to Intervene in the above referenced docket and also files additional information constituting a Complaint regarding the transportation tariff pursuant to Tennessee Regulatory Authority ("TRA") Rule 1220-1-2-.02.

Atmos alleges that Stand Energy's Petition to Intervene that was filed on April 3, 2007 was not timely filed because a deadline of April 2, 2007 had been set for the filing of Petitions to Intervene in this docket. Atmos states that the presiding panel in this docket ruled on Monday, March 26, 2007 that any person wishing to participate in the docket file a complaint under Tenn. Rules and Regs. 1220-1-2.02(4) by April 2, 2007. Stand Energy has had no notice of such a ruling. If such a ruling occurred at the TRA Conference on March 26, 2007, Stand Energy was not a party to the proceeding and was not represented at the conference. Further, there is no written notice of such a deadline in the filings in this docket on the TRA's website and the minutes of the March 26, 2007 conference were not

available at the time of the filing of the Petition to Intervene, nor were the minutes available at the time this Reply was prepared. Consequently, Stand Energy learned of the alleged deadline upon receipt of Atmos' Response to its Petition to Intervene.

T.C.A. §4-5-310(a) allows intervention of right if the petition for intervention is filed at least 7 days before the hearing, the petition states facts demonstrating the petitioner's legal interest and the hearing officer determines the interest of justice and the orderly and prompt conduct of the proceedings shall not be impaired by the intervention. Pursuant to T.C.A. §4-5-310(b), the agency may grant a petition for intervention at any time if the agency determines that the intervention is in the interest of justice and it does not impair the orderly and prompt conduct of the proceedings. Stand Energy's Petition to Intervene was timely filed under this statutory standard.

TRA Rule 1220-1-2-.02(4) states that a complaint opposing a tariff shall be filed no later than seven (7) days prior to the Authority Conference immediately preceding the proposed effective date of the tariff. Atmos' tariff in this docket has been suspended until June 15, 2007. If the TRA were on its regular conference schedule in June, the TRA Conference preceding the effective date of the tariff would be June 11, 2007. Seven days preceding June 11 is June 4th. Therefore the deadline under the rule for filing a complaint would be June 4. Stand's complaint is timely filed under this administrative rule standard.

Because Stand Energy had no notice of a deadline other than the statutory deadline with respect to petitions for intervention in this docket and/or the deadline

for filing an objection to /complaint regarding the tariff, it would be unjust to rule that the petition for intervention was untimely filed. If the TRA did set such a deadline, Stand Energy's petition for intervention was still timely filed based upon the statute and its intervention and/or complaint will not impair the interest of justice and the orderly and prompt conduct of the proceedings inasmuch as the interventions/complaints that were filed on or before April 2 have not been acted upon by the TRA. Stand Energy's intervention/complaint can still be considered in the same time frame that the other interventions/complaints are considered, i.e. prior to June 15, 2007.

Stand Energy stated in its Petition to Intervene sufficient interest to be allowed intervention in this docket, inasmuch as Stand Energy is an independent marketer of retail energy, including natural gas, and Atmos Energy's tariffs affect the competitive environment in which Stand operates. However, Stand Energy is also an agent for Harrison Construction in connection with its natural gas consumption at its facilities in the state of Tennessee. (See attached Limited Appointment of Agent). Harrison Construction is a transportation customer of Atmos and will be affected by the transportation tariff that is the subject of this docket.

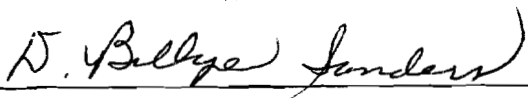
Stand Energy objects to the scheduling fee for daily transportation imbalances in Transportation Service Schedule 260 C(v)(d). However, if the TRA determines that such a fee is necessary and proper, Stand Energy objects to the language used in Transportation Service Schedule 260 implying that Atmos Energy

will have discretion whether or not to impose fees, e.g., “Company may assess a daily scheduling fee for any daily transportation imbalance in excess of 10% of the Customer’s confirmed nomination.” (*Paragraph C(v)(d)*). Atmos must not be given the discretion to choose whether or not to impose fees. The rules and fees must be mandatory on all shippers, including Atmos Energy Marketing, in order not to encourage or promote unlawful discrimination against other competitive energy marketing companies such as Stand Energy. The remedy Stand Energy seeks is the removal of the daily scheduling fees from the tariff or in the alternative, removal of the discretionary language from the tariff and the substitution of mandatory language applicable to all shippers on the Atmos Tennessee distribution system. Based upon the foregoing, Stand Energy has standing to participate in this docket under the standing standard asserted by Atmos.

This agency has generally liberally granted Petitions to Intervene to allow the interests of all parties to be heard in proceedings before this agency. Stifling the voice of interested parties is not in the public interest. Therefore, Stand Energy respectfully requests that the TRA grant its Petition to Intervene or in the alternative, consider its Petition to Intervene as a Complaint under TRA Rule 1220-1-2.02 that has been amended by this pleading by adding the grounds for objection and the relief sought.

Respectfully Submitted,

Stand Energy Corporation

By: 
D. Billye Sanders
Attorney for Stand Energy Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been hand-delivered or mailed to the following parties of interest on this 14th day of May of 2007.

William T. Ramsey, Esq.
Neal & Harwell, PLC
1 Nashville Place, Suite 2000
150 Fourth Avenue North
Nashville, TN 37219-2498

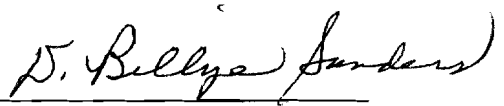
Joe A. Connor
Misty Smith Kelley
Baker, Donelson, Bearman & Caldwell
1800 Republic Centre
633 Chestnut Street
Chattanooga, TN 37450-1800

Pat Childers
VP-Regulatory Affairs
Atmos/United Cities Gas Corp.
810 Crescent Centre Drive, Ste 600
Franklin, TN 37064-5393

Vance L. Broemel
Joe Shirley
Cynthia Kinser
Office of the Attorney General
Consumer Advocate and Protection Division
PO Box 20207
Nashville, TN 37202

Henry Walker
Boult, Cummings, Conners & Berry
1600 Division Street, Suite 700
PO Box 340025
Nashville, TN 37203

R. Dale Grimes
Bass Berry & Sims, PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238-3001


D. Billye Sanders

Limited Appointment of Agent

This Limited Appointment of Agent agreement is made by and between _____Harrison Construction_____("COMPANY"), and Stand Energy Corporation. Company hereby appoints Stand Energy Corporation ("SEC"), to act as Company's agent in connection with natural gas consumption and other pertinent items related to natural gas consumption at facilities owned/operated by COMPANY in the state of Tennessee (hereinafter the "FACILITIES").

This Limited Appointment of Agent shall allow SEC access to the following:

- 1- Information & Documents: Any information pertaining to the COMPANY'S accounts with any interstate pipeline, local distribution company, or natural gas marketer that currently is or has been supplying products or services to COMPANY. This includes all information from, and the right to receive copies of, and/or the original mailings of, all contracts, correspondence and invoices. COMPANY also authorizes SEC to access LDC or pipeline bank volume and consumption information, if any. COMPANY specifically authorizes SEC to intervene on COMPANY's behalf in any LDC rate cases pending before the Tennessee Regulatory Authority at SEC's cost and expense.
- 2- Limited Agent Status: SEC does not possess any authority to sign or execute any Agreements on behalf of COMPANY or FACILITIES.

This Limited Appointment of Agent agreement shall continue in full force and effect until withdrawn upon written notice.

COMPANY

Harrison Construction

(Print Company Name)

BY: _____

Vice President

TITLE: _____

May 4, 2007

DATE: _____