

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

IN RE:)
)
PETITION OF ATMOS ENERGY) **DOCKET NO. 07-00081**
CORPORATION FOR APPROVAL)
OF TARIFF ESTABLISHING)
ENVIRONMENTAL COST RECOVERY)
RIDER)

**FIRST DISCOVERY REQUEST OF ATMOS ENERGY CORPORATION TO
CONSUMER ADVOCATE AND PROTECTION DIVISION AND
ATMOS INTERVENTION GROUP**

TO:	Office of the Attorney General Consumer Advocate and Protection Division c/o Joe Shirley, Asst. Attorney General P. O. Box 20207 Nashville, TN 37202	Atmos Intervention Group c/o Henry M. Walker, Esq. Boult, Cummings, Conners, & Berry, PLC 1600 Division Street, Suite 700 P. O. Box 340025 Nashville, TN 37203
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1. Identify each person whom you expect to call as an expert witness at the hearing on the merits in this docket, and for each such expert witness:

- (a) State the field in which the witness is to be offered as an expert;
- (b) State the subject matter on which the witness is expected to testify;
- (c) State the substance of the facts and opinions to which the witness is expected to testify and a summary of the grounds for each opinion;
- (d) Provide complete background information, including the witness's current employer, as well as his or her educational, professional and employment history, and qualifications within the field in which the witness is expected to testify;
- (e) Identify all publications written or presentations presented in whole or in part by the witness, including either a copy of all such publications and presentations or a reference to where such publications and presentations may be publicly obtained;

- (f) Identify any matter in which the expert has testified (through deposition or otherwise) by specifying the name, docket number and forum of each case, the dates of the prior testimony and the subject of the prior testimony, and identify the transcripts of any such testimony;
- (g) Provide the terms of the retention or engagement of each expert including but not limited to the terms of any retention or engagement letters or agreements relating to his/her engagement, testimony, and opinions as well as the compensation to be paid for the testimony and opinions;
- (h) Identify and produce any exhibits to be used as a summary of or support for the testimony or opinions provided by the expert; and
- (i) Produce copies of all documents, provided to, reviewed by, utilized by, relied upon, created by, or produced by the witness in evaluating, reaching conclusions or formulating an opinion in this matter.

RESPONSE:

2. If you contest any of the assertions contained in the Petition in this matter, or any of the relief requested therein, explain your contentions and the factual and legal bases for them.

RESPONSE:

3. Provide the name, last known address, phone number, and employer for each person with knowledge of discoverable matters in this case. Separately for each, provide a reasonable summary of the discoverable facts the witness is thought to have knowledge of.

RESPONSE:

4. Produce copies of all hearing exhibits that you plan to introduce, use, or reference at the hearing on the merits in this docket.

RESPONSE:

5. Where available, provide Excel (or other data files) containing the information provided in response to these request items.

RESPONSE:

6. Do you dispute that Petitioner was legally obligated to remediate the underground storage tanks (USTs) and manufactured gas plant (MGP) sites described in the Petition? If so, please explain your contentions.

RESPONSE:

7. Do you contend that the environmental costs incurred by Petitioner were either unreasonable or unnecessary? If so, please explain your contentions.

RESPONSE:

8. Please identify any person on the staff of the Consumer Advocate Division who has any prior environmental experience including, but not limited to, auditing environmental costs incurred by a regulated utility, evaluating either the reasonableness or necessity of such costs, or testifying before any regulatory authority regarding a utility's deferred environmental costs.

RESPONSE:

9. Do you contend that all or any portion of the deferred environmental costs described in the Petition should not be recovered from ratepayers? If so, please state the amount you contend should not be recovered and explain the basis for your contentions.

RESPONSE:

10. If the Authority permits Petitioner to recover all or a portion of the deferred environmental costs, do you object to the use of a rider as a means to recover such costs? If so, please explain why you object to the use of a rider and describe any alternative recovery method you would propose.

RESPONSE:

11. If the Authority permits Petitioner to recover all or a portion of the deferred environmental costs, do you object to the use of a three-year recovery period as proposed by Petitioner? If so, please explain why you object to such a recovery period and describe any alternative recovery period you would propose.

RESPONSE:

12. Do you agree that Petitioner is seeking only a dollar-for-dollar recovery of the deferred environmental costs and that no other recovery is requested in the Petition? If not, please explain your contentions and identify and describe what other costs or recovery you contend that the Petitioner is seeking.

RESPONSE:

13. Do you object to the rider's formula, as described in the Petition? If so, please explain the basis for your objections, and identify and describe any problems that you have identified with the formula.

RESPONSE:

14. Are you aware of any other jurisdictions that have permitted a regulated utility to recover deferred environmental costs through a rider mechanism? If so, please identify those jurisdictions and explain why you contend that the Authority should not follow the same approach in this case, if you so contend.

RESPONSE:

NEAL & HARWELL, PLC

By: 

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Counsel for Atmos Energy Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the 15 day of June 2007.

<input type="checkbox"/> Hand	Joe Shirley, Esq.
<input checked="" type="checkbox"/> Mail	Office of the Attorney General
<input type="checkbox"/> Fax	Consumer Advocate and Protection Division
<input type="checkbox"/> Fed. Ex.	P. O. Box 20207
<input checked="" type="checkbox"/> E-Mail	Nashville, TN 37202

<input type="checkbox"/> Hand	Henry M. Walker, Esq.
<input checked="" type="checkbox"/> Mail	Boult, Cummings, Connors, & Berry, PLC
<input type="checkbox"/> Fax	1600 Division Street, Suite 700
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