

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

**IN RE:** )  
 )  
**PETITION OF ATMOS ENERGY** ) **DOCKET NO. 07-00105**  
**CORPORATION FOR APPROVAL OF** )  
**ADJUSTMENT OF ITS RATES AND** )  
**REVISED TARIFF** )

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**RESPONSE OF ATMOS ENERGY CORPORATION TO MOTION FOR  
RECONSIDERATION OF ORDER SEVERING THE TRANSPORTATION TARIFF  
AND ASSET MANAGEMENT ISSUES**

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Atmos Energy Corporation ("Atmos") respectfully submits this response in opposition to the motion for reconsideration filed by Stand Energy Corporation ("Stand") and Atmos Intervention Group ("AIG"). In their motion, Stand and AIG ask the Hearing Officer to reverse multiple prior rulings in which the Authority and the Hearing Officer have determined that the asset management and transportation tariff issues should be litigated and resolved in separate dockets, and not as part of this case. That position has been expressed in a number of orders issued by the Authority, and by the Hearing Officer in this case, including the following:

- ▶ Authority Order, entered at the July 9, 2007 Authority conference, denying the Consumer Advocate's Motion to Consolidate (joined by AIG and Stand). This Motion sought to consolidate dockets 07-00020 and 07-00081 with this one, and to hear the transportation tariff issues in this case. The Authority denied this Motion to Consolidate at the July 9, 2007 Authority conference, and appointed Director Ron Jones to serve as hearing officer in the transportation docket (07-00020).
- ▶ Order Deferring Discovery Concerning Transportation Tariff and Asset Management Issues and Amending the Procedural Schedule, entered July 2, 2007 in this docket (07-00105). As a result of this Order, discovery regarding the asset management and transportation tariff issues has not been conducted in this matter. This makes a hearing on those issues in this case impossible without further discovery, as Stand and AIG acknowledge in their Motion to Reconsider. *See* Motion at 4.

- ▶ Authority Order, entered at the August 20, 2007 Authority conference, closing dockets 05-00258 and 05-00253, opening a new docket to hear the asset management issues, and appointing Director Ron Jones to act as the Hearing Officer in that docket.
- ▶ Order Severing the Transportation Tariff and Asset Management Issues, entered September 13, 2007 in this docket.

The motion filed by Stand and AIG seeks nothing less than to reverse all of these prior orders, and go against the Authority's decisions to hear the asset management and transportation issues in separate dockets (and separately from this case). Stand and AIG's motion should be denied, not only because the Authority already has ruled, but also because it made the right decision when it did so. Adding the transportation and asset management issues to this case at this late stage will do nothing but delay its resolution. There has been no discovery in this case on the asset management and transportation issues. Essentially, the parties would be starting anew. The asset management and transportation issues can be litigated more effectively and efficiently in the separate cases that already have been opened for that purpose. Atmos fully supports the prompt establishment of procedural schedules and hearing dates in the asset management and transportation matters, and is fully committed to resolving those matters on schedule, and in a professional manner, as it has done in this case.

### **CONCLUSION**

For the foregoing reasons, Atmos respectfully submits that the Motion for Reconsideration should be denied.

Respectfully submitted,

**NEAL & HARWELL, PLC**

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**CERTIFICATE OF SERVICE**

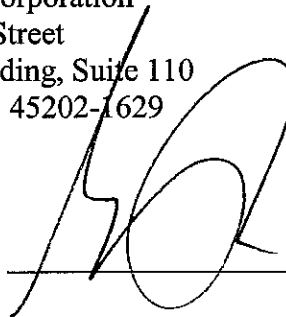
I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the 24 day September 2007.

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