

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

**January 4, 2008**

*In re: Docket to Evaluate Atmos Energy )  
Corporation's Gas Purchases and Related Sharing )  
Incentives )*

Docket No. 07-00225

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**COMMENTS OF ATMOS INTERVENTION GROUP**

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The Atmos Intervention Group ("AIG") supports the proposed protective order filed by AIG and Stand Energy Corporation ("Stand") and submits the following brief comments concerning one of the disputed issues in the proposed order.

In paragraph 3(e), AIG and Stand have proposed that Mr. Hal Novak of WHN Consulting be named in the Protective Order so that he can receive copies of all confidential filings, subject to the provisions of the order, without the five-day delay that applies to outside consultants whose identity is not known to the other parties.

Mr. Novak operates a consulting business and has testified numerous times before the TRA. He is not "associated with the marketing of services in competition" with AEC or AEM.<sup>1</sup> In prior cases, neither AEC or AEM has ever raised – or reasonably could raise – any objection to allowing Mr. Novak to review confidential data from AEC or AEM, subject to the provision of the TRA's protective order. Under these circumstances, there is no legitimate reason to require Mr. Novak to wait five days before being allowed to see that information.

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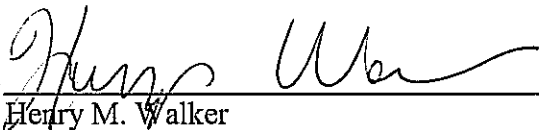
<sup>1</sup> This is the standard that AEC itself originally proposed (Docket 05-00258, June 14, 2006, Order of Hearing Officer, at 15) and which the TRA adopted in that case and the parties have used in subsequent cases.

This provision is not intended to be a one-way street. AEC and AEM have both been offered the opportunity to list in the protective order the names of any outside consultants they plan to use so that the named consultants could also avoid the five-day delay in receiving confidential information. AEC and AEM have declined this offer.

To the knowledge of AIG and Stand, AC and AEM have no reasonable objection to this proposal. Nevertheless, they insist that the five-day delay be maintained for Mr. Novak. This delay will unnecessarily hamper AIG's efforts to evaluate the discovery responses of AEC and AEM and to determine whether the responses are complete and accurate. There is no good reason to place this burden on AIG.<sup>2</sup>

Respectfully submitted,

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<sup>2</sup> AIG notes that Mr. Novak has also provided, and will continue to provide, informal assistance to Stand and the CAD in this proceeding.

**CERTIFICATE OF SERVICE**

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

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on this the 4<sup>th</sup> day of January, 2008.

  
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Henry M. Walker