

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

**IN RE:** )  
 )  
**DOCKET TO EVALUATE** )  
**ATMOS ENERGY CORPORATION'S** )  
**GAS PURCHASES AND RELATED** ) **DOCKET NO. 07-00225**  
**SHARING INCENTIVES** )  
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**ATMOS ENERGY MARKETING, LLC's MOTION FOR AN EXTENSION OF TIME  
TO RESPOND TO FIRST ROUND OF DISCOVERY REQUESTS FROM THE  
CONSUMER ADVOCATE AND PROTECTION DIVISION AND AIG AND  
MEMORANDUM IN SUPPORT**

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Atmos Energy Marketing, LLC ("AEM"), by and through its undersigned counsel, hereby respectfully moves the Tennessee Regulatory Authority ("Authority" or "TRA") to grant it an extension of time to respond to the First Round of Discovery Requests from the Office of the Tennessee Attorney General and Reporter, Consumer Advocate and Protection Division (the "CAD") and the Atmos Intervention Group (the "AIG").<sup>1</sup> More specifically, AEM requests a seven (7) day extension, until on or before 2:00 p.m. Tuesday, February 26, 2008. AEM has consulted with the requesting parties, the CAD and AIG, and the CAD and AIG have informed AEM that they do not oppose this request.<sup>2</sup> For the reasons set forth herein, AEM respectfully requests the Authority to grant this Motion.

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<sup>1</sup> AEM intends on responding to the First Round Discovery Requests of Stand Energy Corporation on February 19, 2008.

<sup>2</sup> Though the CAD does not oppose this Motion, it has expressed substantial concern to AEM over the impact to the remainder of the procedural schedule, particularly adequate time to prepare and submit its March 27, 2008, Pre-Filed Testimony. AEM recognizes this concern and will work with the CAD, and the other parties, to resolve the same in some appropriate manner.

## **I. BACKGROUND**

In large measure, the relevant procedural background underlying the basis for this Motion is set forth in the Authority's February 14, 2008, *Order on Protective Order Disputes* (the "*Order*")<sup>3</sup> and in the Authority's *Order on December 13, 2007 Status Conference*,<sup>4</sup> and thus will not be repeated here. On or about December 28, 2007, AEM was served with Discovery Requests by Stand Energy Corporation, CAD and AIG. Notwithstanding the then outstanding disputes related to the Protective Order, these Discovery Requests, and particularly those submitted by the CAD, require the gathering, reviewing, organizing and production of a substantial amount information. Further, AEM was not able to access the *Order* from the Authority's web site until the morning of February 15, 2008.

## **II. DISCUSSION AND ARGUMENT**

Notwithstanding the disputes related to the Protective Order, AEM has worked diligently to comply with the First Round Discovery Requests since on or about December 28, 2007. Still, given the volume of the information requested, responding to the same has resulted in a rather substantial undertaking. Hence, the various issues relating to the Protective Order aside, AEM would likely have had to request additional time to adequately respond to the Discovery Requests. Moreover, AEM could not completely organize, categorize and appropriately prepare its confidential/commercially sensitive (and trade secret) information for production until receipt and review of the *Order*, in order to comply in full with the same. Needless to say, responding to the Discovery Requests is a time-consuming task.

For the foregoing reasons, AEM needs more time to respond to the Discovery Requests of the CAD and AIG. Though AEM is of the opinion that a substantial amount of work remains

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<sup>3</sup> *Order on Protective Order Disputes*, TRA Docket No. 07-00225 (Feb. 14, 2008) ("*Order*").

<sup>4</sup> *Order on December 13, 2007 Status Conference*, TRA Docket No. 07-00225 (Dec. 21, 2007).

to be done to respond to said Discovery Requests, it will make every reasonable attempt to comply, if the extension is granted, before 2:00 p.m., Tuesday, February 26, 2008.

### III. CONCLUSION

For the foregoing reasons, AEM requests the Authority to grant it an extension to respond to the First Round of Discovery Requests from the CAD and AIG until on or before 2:00 p.m., February 26, 2008. Should an extension be granted, if AEM can submit the responses before Tuesday, February 26, 2008, it will do so.

Respectfully Submitted,

MILLER & MARTIN PLLC



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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent electronically to the following parties of record this 15<sup>th</sup> day of February, 2008.

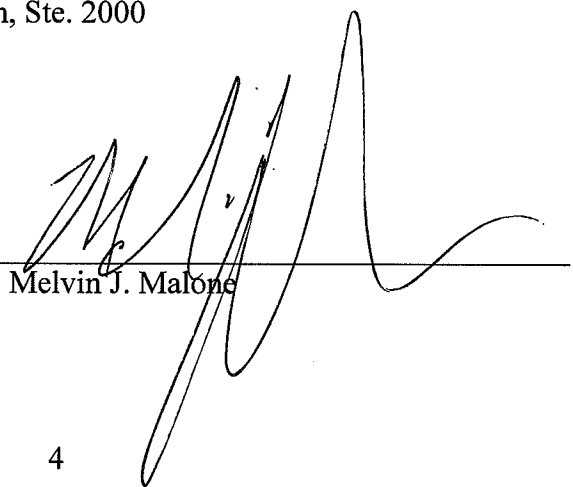
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