

**IN THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE**

**IN RE:** )  
**DOCKET TO EVALUATE ATMOS ENERGY** )  
**CORPORATION'S GAS PURCHASES AND** ) **DOCKET NO. 07-00225**  
**RELATED SHARING INCENTIVES** )

**NOTICE OF WITHDRAWING TESTIMONY**

Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division ("Consumer Advocate"), hereby gives notice that it is withdrawing the Direct Testimony of Steve Brown on Decoupling Issues filed August 21, 2007, in Tennessee Regulatory Authority ("TRA") Docket 07-00105 and incorporated into Docket No. 07-00225 by TRA Order dated April 23, 2008 (the testimony was "deemed to be filed in the asset management docket" in Paragraph 29 of the Settlement Agreement signed by the Consumer Advocate and Atmos Energy Corporation settling Docket 07-00105 and attached as Exhibit A to the TRA Order approving the Settlement Agreement). The testimony at issue referred to an alleged discrepancy between deliveries to Atmos of natural gas in Tennessee and sales of natural gas in Tennessee via the East Tennessee Natural Gas Pipeline and was based in significant part on an Atmos' discovery response that was specific to Tennessee rather than all of Atmos' gas deliveries and sales via the East Tennessee Natural Gas Pipeline, as intended in the discovery request. Accordingly, in order ensure a proper record, the Consumer Advocate hereby withdraws the testimony. The Consumer Advocate reserves the right to raise similar issues if new proof is developed.

RESPECTFULLY SUBMITTED,



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Dated: May 7, 2009

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via first-class U.S. Mail, postage prepaid, or electronic mail upon:

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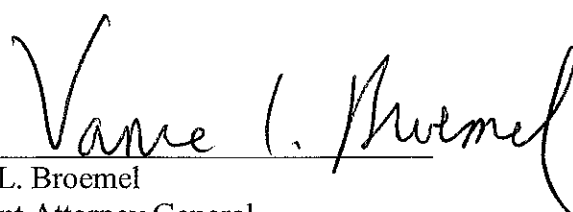
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This the 7<sup>th</sup> day of May, 2009.

  
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