

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 19, 2007

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

ORDER GRANTING *PETITION TO INTERVENE*

This docket came before the Hearing Officer for consideration of the *Petition to Intervene* filed by Robert E. Cooper, Jr., the Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate").

At the August 20, 2007, Authority Conference, the panel assigned to Docket Nos. 05-00253 and 05-00258 voted to create a new docket as a result of the panel's decisions to close Docket Nos. 05-00253 and 05-00258.¹ The new docket was later assigned Docket No. 07-00225. As part of the decision to open Docket No. 07-00225, the panel voted to allow any party that had participated in either of the two closed dockets to intervene automatically in Docket No. 07-00225.²

The Consumer Advocate filed its *Petition to Intervene* in this docket on November 9, 2007. The Consumer Advocate actively participated in Docket No. 05-00258 and, in fact, filed the petition that resulted in the Authority deciding to investigate Atmos Energy Corporation's

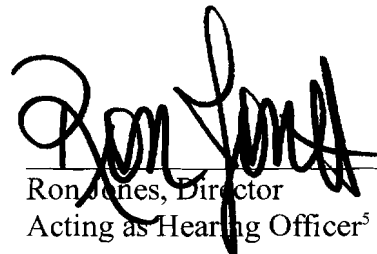
¹ Transcript of Authority Conference, pp. 29-50 (Aug. 20, 2007).

² See *id.* at 40-43.

earnings as part of Docket No. 05-00258.³ The Consumer Advocate also participated in Docket No. 05-00253 by filing a brief, objections, and comments.⁴ Given the Authority's decisions in Docket Nos. 05-00253 and 05-00258 with regard to automatic interventions and the participation of the Consumer Advocate in both dockets, granting the intervention is automatic. Therefore, there is no need to evaluate the petition pursuant to section 4-5-310 of *Tennessee Code Annotated*.

IT IS THEREFORE ORDERED THAT:

The *Petition to Intervene* filed by Robert E. Cooper, Jr., the Attorney General and Reporter for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of the Attorney General is granted.


Ron Jones, Director
Acting as Hearing Officer⁵

³ See *In re: Petition to Open an Investigation to Determine Whether Atmos Energy Corp. Should be Required by the TRA to Appear and Show Cause that Atmos Energy Corp. is not Overearning in Violation of Tennessee Law and that it is Charging Rates that are Just and Reasonable*, Docket No. 05-00258, *Order Granting Petition and Commencing Investigation* (Mar. 23, 2006).

⁴ See *In re: Atmos Energy Corporation Actual Cost Adjustment ("ACA") Audit*, Docket No. 05-00253, *Consumer Advocate's Comments on the Company's Tariff to Implement RFP Procedures for the Selection of an Asset Manager* (Jun. 21, 2007), *Objection of Consumer Advocate and Protection Division to Atmos Energy Corporation's Request for Implementation of the Order of the Authority* (Oct. 4, 2006), and *Brief of Consumer Advocate and Protection Division on the Appropriate Forum to Address Asset Management Issues* (Nov. 20, 2006).

⁵ During the deliberations in Docket Nos. 05-00253 and 05-00258 on August 20, 2007, the panel voted to appoint Director Jones to serve as the Hearing Officer for the purposes of preparing Docket No. 07-00225 for hearing by the panel. Transcript of Authority Conference, pp. 42-43 (Aug. 20, 2007).