

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

IN RE: )  
)  
REQUEST OF ATMOS ENERGY ) **Docket No. 11-00034**  
CORPORATION FOR APPROVAL )  
OF CONTRACT(S) REGARDING GAS )  
COMMODITY REQUIREMENTS AND )  
MANAGEMENT OF TRANSPORTATION/ )  
STORAGE CONTRACTS )

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**ATMOS ENERGY CORPORATION'S  
REQUEST FOR RULING**

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This matter is ripe for resolution at the next Authority Conference. There are two issues in this docket. Neither is contested. Atmos Energy Corporation therefore submits this Request for Ruling to update the Authority as to the status of this matter and to request that the Authority consider and rule on the matter at its next Authority Conference.

The two issues in this case are as follows. First, Atmos filed this matter seeking approval of its Asset Management Agreement, which has an effective date of April 1, 2011, subject to Authority approval. Second, subsequent to the filing of the Atmos Petition, the Company received a request from TRA Staff to submit for approval an amendment to the Company's Performance Based Ratemaking ("PBR") Tariff making explicit allowance for Atmos to share in asset management fees under its PBR mechanism. At Staff's request, the tariff amendment was included in this docket, with an effective date of April 1, 2011, thus coinciding with the effective date of the Asset Management Agreement under review. Although Atmos acceded to the Staff's request, as the Company has made clear from the outset, Atmos contends that its existing tariff

language would authorize Atmos to share AMA fees under the terms of the PBR mechanism. Atmos saw no reason to refuse Staff's request to add the requested language, provided that all parties understood that doing so would not imply that the existing tariff language did not authorize AMA fee sharing. Atmos made this position clear in filing the tariff amendment, and does not understand there to be any disagreement. As the Authority is aware, the parties by stipulation have agreed that the issue of whether Atmos may share asset management fees in prior years (prior to April 1, 2011) will be resolved in a separate docket.

The Consumer Advocate has intervened in this matter and has conducted informal discovery of Atmos concerning the Asset Management Agreement. Atmos, the Advocate and counsel for TRA Staff have had discussions concerning this matter and Atmos understands that there is no opposition to the relief requested in this matter.

Accordingly, Atmos respectfully requests that the Authority grant the following relief:

1. Approve the Company's Asset Management Agreement effective April 1, 2011;
2. Approve the Company's proposed amendment to its PBR Tariff, also effective April 1, 2011; and
3. Recognize that the issue of whether Atmos is entitled to share in asset management fees pursuant to the terms of its PBR Tariff for prior time periods will be determined in a separate docket, and that this tariff amendment will not affect whether Atmos is entitled to share asset management fees for those prior periods.

Respectfully submitted,

**NEAL & HARWELL, PLC**

By: 

A. Scott Ross, #15634

2000 One Nashville Place

150 Fourth Avenue, North

Nashville, TN 37219-2498

(615) 244-1713 – Telephone

(615) 726-0573 – Facsimile

*Counsel for Atmos Energy Corporation*

**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 20 day of December, 2011.

<input type="checkbox"/> Hand	C. Scott Jackson, Esq.
<input checked="" type="checkbox"/> Mail	Senior Counsel
<input type="checkbox"/> Fax	Office of the Attorney General
<input type="checkbox"/> Fed. Ex.	Consumer Advocate and Protection Division
<input checked="" type="checkbox"/> E-Mail	P. O. Box 20207
	Nashville, TN 37202-0207

<input type="checkbox"/> Hand	Jonathan Wike, Esq.
<input checked="" type="checkbox"/> Mail	General Counsel
<input type="checkbox"/> Fax	Tennessee Regulatory Authority
<input type="checkbox"/> Fed. Ex.	450 James Robertson Parkway
<input checked="" type="checkbox"/> E-Mail	Nashville, TN 37243-0505

