

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 2, 2011

IN RE:

**PETITION OF ATMOS ENERGY CORPORATION
FOR APPROVAL OF GAS TRANSPORTATION
AGREEMENT WITH U.S. NITROGEN, LLC**

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**DOCKET NO.
11-00122**

ORDER GRANTING PETITION TO INTERVENE OF CONSUMER ADVOCATE

This matter is before the Hearing Officer upon the filing with the Tennessee Regulatory Authority ("TRA" or "Authority") of a *Petition to Intervene* by Robert E. Cooper, Jr., Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate and Protection Division of the Office of the Attorney General ("Consumer Advocate") on August 15, 2011.

BACKGROUND

On August 2, 2011, in accordance with Tenn. R & Regs. 1220-4-1-.07, Atmos Energy Corporation ("Atmos") filed with the Authority a *Petition of Atmos Energy Corporation for Approval of Gas Transportation Agreement with U.S. Nitrogen, L.L.C.* ("Petition") requesting Authority approval of a gas transportation agreement negotiated between Atmos and U.S. Nitrogen, L.L.C., dated June 23, 2011. On August 4, 2011, Atmos filed a proposed Protective Order in the docket file.

On August 15, 2011, the Consumer Advocate filed a *Petition to Intervene* requesting to intervene as a party in the proceedings. On August 23, 2011, the Authority entered an *Order Convening a Contested Case and Appointing a Hearing Officer* reflecting the unanimous

decision of the voting panel during a regularly scheduled Authority Conference held on August 22, 2011 to appoint General Counsel or his designee to act as Hearing Officer to handle preliminary matters and prepare the matter for hearing before the panel.

PETITION TO INTERVENE

In its *Petition to Intervene*, the Consumer Advocate seeks intervention pursuant to Tenn. Code Ann. § 65-4-118, which authorizes the Consumer Advocate to intervene in proceedings to represent the interests of Tennessee consumers. The Consumer Advocate asserts that additional investigation and discovery may be needed to determine whether the Gas Transmission Agreement is in the best interest of Tennessee consumers. The Consumer Advocate further asserts that it can protect the public interest only by participating in this proceeding. The petitioner, Atmos Energy Corporation, has not filed an objection in the docket file or otherwise indicated opposition to the Consumer Advocate's intervention request.

Therefore, the Hearing Officer finds that the legal rights and interests of Tennessee consumers may be determined in this proceeding, the Consumer Advocate's petition is timely, and that its intervention will not impair the orderly and prompt conduct of these proceedings. For the foregoing reasons, the Hearing Officer hereby grants the Consumer Advocate's *Petition to Intervene*. At this time, there are no other petitions to intervene pending in the docket.

IT IS SO ORDERED.



Kelly Cashman-Grams, Hearing Officer