

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**December 19, 2011**

**IN RE:**

**AUDIT OF ATMOS ENERGY CORPORATION'S  
INCENTIVE PLAN ACCOUNT FOR PERIOD OF  
APRIL 1, 2004 THROUGH MARCH 31, 2007**

**DOCKET NO.  
11-00195**

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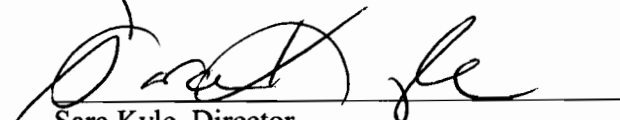
**ORDER CONVENING A CONTESTED CASE  
AND APPOINTING A HEARING OFFICER**

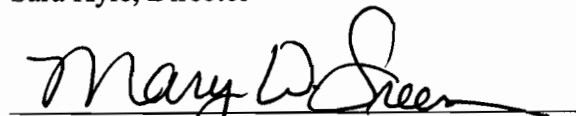
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This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on November 21, 2011 for consideration of the audit of Atmos Energy Corporation's Incentive Plan Account for the period of April 1, 2004 through March 31, 2007 filed on November 10, 2011. By stipulation filed by the Authority's Audit Staff, Atmos Energy Corporation ("Atmos"), and the Consumer Advocate and Protection Division in Docket No. 11-00137, the parties have agreed that the issue to be addressed in this docket is whether fees received during the audit period from asset management agreements are to be included in the capacity management incentive calculation.<sup>1</sup> In accordance with the stipulation, during the Authority Conference the panel voted unanimously to convene a contested case proceeding and to appoint the Authority's General Counsel or his designee to act as Hearing Officer to handle any preliminary matters, including ruling on intervention requests and establishing a procedural schedule.

**IT IS SO ORDERED.**

  
Kenneth C. Hill, Chairman

  
Sara Kyle, Director

  
Mary W. Freeman, Director

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<sup>1</sup> See *In Re: Petition for Approval of Incentive Plan Account Reports for the Period April 1, 2001 through March 31, 2011*, Docket No. 11-00137, *Stipulation Regarding Procedure*, p. 2 (November 4, 2011).