

\*filed electronically in the docket office on 10/7/2013

**NEAL & HARWELL, PLC**

LAW OFFICES  
150 FOURTH AVENUE, NORTH  
SUITE 2000

NASHVILLE, TENNESSEE 37219-2498

TELEPHONE  
(615) 244-1713

FACSIMILE  
(615) 726-0573

WWW.NEALHARWELL.COM

CHANDRA N.T. FLINT  
STEPHEN M. MONTGOMERY  
JEFF H. GIBSON  
ROBERT A. PEAL  
J. ISAAC SANDERS  
JOHN E. HAUBENREICH  
BLIND AKRAWI  
CHANELLE A. JOHNSON  
ANDREW A. WARTH

OF COUNSEL  
LARRY W. LINDEEN

JAMES F. NEAL (1929-2010)

AUBREY B. HARWELL, JR.  
JON D. ROSS  
JAMES F. SANDERS  
THOMAS H. DUNDON  
RONALD G. HARRIS  
ALBERT F. MOORE  
PHILIP N. ELBERT  
JAMES G. THOMAS  
WILLIAM T. RAMSEY  
JAMES R. KELLEY  
MARC T. McNAMEE  
GEORGE H. CATE, III  
PHILIP D. IRWIN  
A. SCOTT ROSS  
GERALD D. NEENAN  
AUBREY B. HARWELL, III  
W. DAVID BRIDGERS  
KENDRA E. SAMSON  
DAVID G. THOMPSON  
LISA PAIGE BINDER  
ELIZABETH S. TIPPING

October 7, 2013

Sharla Dillon, Docket Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

**VIA HAND DELIVERY**

RE: Atmos Energy Corporation Performance Based Ratemaking Mechanism Rider in  
Tariff, TRA Docket No. 13-00111

Dear Ms. Dillon:

Enclosed are the original and four copies of "First Discovery Requests of Atmos Energy Corporation to Consumer Advocate and Protection Division" in the above-referenced matter.

Best regards.

Sincerely,

A. Scott Ross

ASR:prd

Enclosures

cc: Pat Childers

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

<b>IN RE:</b>	)	
	)	
<b>PETITION OF ATMOS ENERGY CORPORATION TO REVISE PERFORMANCE BASED RATEMAKING MECHANISM RIDER IN TARIFF</b>	) ) ) ) ) ) )	<b>TRA Docket No. 13-00111</b>

---

**FIRST DISCOVERY REQUESTS OF ATMOS ENERGY CORPORATION TO  
CONSUMER ADVOCATE AND PROTECTION DIVISION**

---

**TO:** Office of the Attorney General  
Consumer Advocate and Protection Division  
c/o Joe Shirley, Esq.  
P. O. Box 20207  
Nashville, TN 37202

1. Produce all documents generated by each of your witnesses in this matter, including without limitation all notes, reports, correspondence, work-papers, spreadsheets, calculations and the like. The work-papers and calculations should be produced in Excel working format with numbers, formulas and linked files provided.

**RESPONSE:**

2. Produce all documents that have been referenced or relied upon by each of your witnesses in this matter.

**RESPONSE:**

3. Produce all documents in your possession, custody, or control that relate in any way to any of the Atmos or United Cities performance based ratemaking plans.

**RESPONSE:**

4. Produce all documents in your possession, custody, or control that relate in any way to a performance based ratemaking plan or incentive plan involving a gas utility regulated by the Tennessee Regulatory Authority (or its predecessor).

**RESPONSE:**

5. Produce all hearing exhibits and other documents that you plan to introduce, use, or reference at the hearing on the merits in this matter.

**RESPONSE:**

6. Identify each person who you expect to call as an expert witness at the hearing on the merits in this docket, and for each such expert witness:

- (a) Provide a complete educational, professional and employment history. Include in your response a complete disclosure of all aspects of the expert's education and employment background that you contend qualify the witness to render expert testimony on the issues on which he will testify in this case. Please be sure to include the date(s) applicable to each entry;
- (b) Separately for each expert witness, list each published scholarly work (article, book chapter, book, etc.) that the witness has authored or co-authored. Provide a citation to the work that includes the title, date, and publication.

- (c) Identify each matter in which the expert has testified or submitted pre-filed written testimony on any subject about which he intends to offer expert testimony in this case. For each matter, provide the name, docket number, forum, dates of testimony, whether the testimony was live or written, and the subjects on which the expert offered testimony in the case. Produce a copy of all such testimony (in electronic form if available).
- (d) Produce each expert's entire file in this case, including all work papers, drafts, correspondence, spreadsheets, documents collected, summaries, charts, trade articles, journals, treatises, publications, file notes, chart notes, tests, test results, interview notes, and consultation notes provided to, reviewed by, utilized by, relied upon, created by, or produced by the expert witness in this matter. Where available, please provide working Excel files (or other data file types if applicable).

**RESPONSE:**

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 7th day of October, 2013.

- ☐ Hand
- ☐ Mail
- ☐ Fax
- ☐ Fed. Ex.
- ☒ E-Mail

Joe Shirley, Esq.  
Office of Attorney General  
Consumer Advocate and Protection Division  
425 Fifth Avenue, North, 3<sup>rd</sup> Floor  
P. O. Box 20207  
Nashville, TN 37202-4015

