

# TENNESSEE REGULATORY AUTHORITY



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

VIA E-MAIL AND US MAIL

October 21, 2013

Joe Shirley, Esq.  
Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202-0207

RE: Docket No. 13-00111 – *Petition of Atmos Energy Corporation to Revise Performance Based Ratemaking Mechanism Rider in Tariff.*

Dear Mr. Shirley:

To assist the Authority in its evaluation of the Petition filed on August 13, 2013, please provide your responses to the following:

1. On September 26, 2007, the Authority opened Docket No. 07-00225 to evaluate Atmos' gas purchases and related sharing incentives. Following extensive discovery, and on-going negotiations between the Consumer Advocate and Atmos over the ensuing five and a half years, a Stipulation and Settlement Agreement was filed with the Authority on May 7, 2013. The terms provided for a comprehensive review of the transactions and activities related to asset management by an independent consultant in the fall of 2014 and approval for the Company to recover its legal fees from the customers' share of asset management fees. The Stipulation and Settlement was considered and approved at the June 17, 2013 Authority Conference and memorialized in an Authority Order dated August 6, 2013. Seven days after the Authority's Order, Atmos requested a revision of its PBR tariff. Please state all rationale and reasons why Atmos' proposed tariff revision was not addressed in Docket No. 07-00225, the docket specifically designated by the Authority for this purpose?
2. Did the Consumer Advocate know that a subsequent tariff revision focusing on one issue would be filed by Atmos soon after the Stipulation and Settlement was approved?

In order for the Authority to evaluate the Petition in a timely manner, it is necessary to receive this information as soon as possible. It is therefore requested that all responses be provided no later than 2:00 p.m. Monday, October 28, 2013. In accordance with TRA rules submit either (1) original and thirteen written copies of your response or (2) original and four written copies and an electronic version. Should you have any questions or need clarification regarding any

requested item, please contact me at (615) 741-2904, ext. 188. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Foster".

David Foster, Chief  
Utilities Division

C: Patricia D. Childers  
Vice President, Rates & Regulatory Affairs – Mid States Division  
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