

BEFORE THE TENNESSEE REGULATORY AUTHORITY

RECEIVED

2013 NOV 13 PM 3: 50

IN RE:

PETITION OF ATMOS ENERGY  
CORPORATION TO REVISE  
PERFORMANCE BASED RATEMAKING  
MECHANISM RIDER IN TARIFF

)  
)  
)  
)  
)  
)

T.R.A. DOCKET ROOM

DOCKET NO. 13-00111

---

MOTION TO INTERVENE

---

Comes now the Tennessee Regulatory Authority (“TRA” or “Authority”) Staff Participating as a Party (“Party Staff”) by and through counsel and requests that the Hearing Officer appointed by the Directors on September 18, 2013, issue an Order allowing Party Staff to intervene in this matter. Party Staff further requests that the procedural schedule in this case be amended to allow Party Staff to conduct discovery and file testimony if necessary. In support of this request Party Staff would show as follows:

1. The Authority has the power to “investigate, upon its own initiative... any public utility as defined in § 65-4-101.”<sup>1</sup>
2. The Authority “[m]ay upon motion allow any interested person to intervene and become a party to a contested case.”<sup>2</sup>
3. Atmos’ petition in this matter requests certain changes to its Tariff. Party Staff asserts that the Authority should consider any changes to Atmos’ tariffs alongside the Authority’s recent decision in TRA Docket No. 07-00225 as well as other previous dockets involving Atmos.
4. Additionally, TRA Staff sent a data request to Atmos Energy Corporation (“Atmos”) on

---

<sup>1</sup> Tenn. Code Ann. § 65-4-117(a).

<sup>2</sup> Tenn. Code Ann. § 65-2-107.

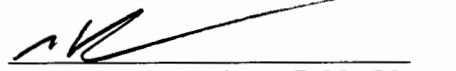
October 21, 2013, requesting additional information from Atmos. On November 4, 2013, Atmos filed a response to the data request that objected to answering certain questions. Party Staff asserts that the answers to these and other questions are essential to the TRA's analysis of Atmos' petition.

5. Party Staff asserts that its participation in this docket as a party is essential to ensuring that all necessary discovery is conducted and that the necessary issues are raised before the Authority.

**PRAYER FOR RELIEF**

6. Party Staff requests that they be granted intervention in this matter and that the procedural schedule be amended to allow all parties sufficient time to adequately participate.

Respectfully submitted,

  
Shiva K. Bozarth, BPR No.22685  
Legal Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

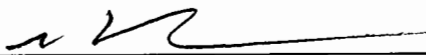
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I have served a copy of the foregoing document on the following persons by U.S. Mail:

Scott Ross  
2000 One Nashville Place  
150 Fourth Avenue North  
Suite 2000  
Nashville, Tennessee 37219

Joe R. Shirley  
Assistant Attorney General  
Office of Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, TN 37202

This the 14<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Shiva K. Bozarth