

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

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

**REQUEST TO CROSS-EXAMINE
PURSUANT TO TCA 4-5-313**

On November 25, 2013, Party Staff filed a pleading in this matter styled "Tennessee Code Annotated Section 4-5-313 Notice," attaching a proposed affidavit of Pat Murphy. Atmos Energy Corporation respectfully submits this document in response to that filing, pursuant to the provisions of TCA 4-5-313. In response to the Notice and the proffered affidavit of Pat Murphy, Atmos states as follows:

1. Atmos objects to receiving in evidence in this matter the Affidavit of Pat Murphy, and reserves all objections to the admissibility of the testimony contained in that affidavit;
2. Atmos objects to the submission of an Affidavit in this matter in lieu of pre-filed testimony, as called for under the Procedural Schedule in this matter and TRA Rule 1220-1-2-.16, which requires that testimony be "presented in written, question-and-answer form."
3. Atmos respectfully demands the right to cross-examine Ms. Murphy with respect to this affidavit and any testimony or other evidence she may seek to offer in this matter.

filed electronically in docket office on 11/26/13

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November 26, 2013

VIA HAND DELIVERY

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

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 Atmos Energy Corporation's Request to
Cross-Examine Pursuant to TCA 4-5-313 in the above-referenced matter.

Best regards.

Sincerely,


A. Scott Ross

ASR/rmp
Enclosures

cc: Pat Childers
Brannon Taylor
Joe Shirley, Esq. (via e-mail)
Shiva K. Bozarth, Esq. (via e-mail, U.S. Mail, and hand delivery)

Respectfully submitted,

NEAL & HARWELL, PLC

By: 

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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 26th day of November, 2013.

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

Joe Shirley, Esq.
Office of Attorney General
Consumer Advocate and Protection Division
425 Fifth Avenue, North, 3rd Floor
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