

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

IN RE:)	
)	
ATMOS ENERGY CORPORATION)	
GENERAL RATE CASE AND PETITION)	DOCKET NO. 16-00013
TO ADOPT ANNUAL REVIEW)	
MECHANISM AND ARM TARIFF)	

PETITION TO INTERVENE

Herbert H. Slatery III, Attorney General and Reporter for the State of Tennessee, by and through the Consumer Protection and Advocate Division of the Office of the Attorney General (“Consumer Advocate”), pursuant to Tenn. Code Ann. § 65-4-118, respectfully petitions the Tennessee Regulatory Authority (“TRA” or “Authority”) to grant the Consumer Advocate’s intervention into this proceeding because consumers’ interests, rights, duties or privileges may be determined or affected by the *Atmos Energy Corporation General Rate Case and Petition to Adopt Annual Review Mechanism* [(“ARM”)] and *ARM Tariff* and titled *February 2016 ARM Filing* (“*Petition*”) filed in TRA Docket 14-00146 by Atmos Energy Corporation (“Atmos Energy” or “Utility”) and docketed in this TRA Docket 16-00013. For cause, Petitioner would show as follows:

1. The Consumer Advocate is authorized by Tenn. Code Ann. § 65-4-118 to represent the interests of Tennessee consumers of public utility services by initiating and intervening as a party in any matter or proceeding before the Authority in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-101 *et seq.*, and Authority rules.

2. As stated in the *Petition of Atmos Energy Corporation for a General Rate Case and Petition to Adopt Annual Review Mechanism and ARM Tariff*, filed on November 25, 2014, in TRA Docket 14-00146, Atmos Energy is a public utility regulated by the Authority and

provides natural gas service to approximately 132,000 residential, commercial, and industrial customers in Tennessee.¹

3. The Utility's principal place of business is located at Atmos Energy Corporation, 5430 LBJ Freeway, Suite 1800, Dallas, Texas 75240.²

4. Atmos Energy's *Petition* requests an increase in rates to be paid by Atmos' customers in Tennessee in the amount of \$4,887,864.³

5. The *Petition* also requests that the method reflected in the *Stipulation and Settlement Agreement* ("Settlement Agreement") between the Consumer Advocate and Atmos Energy, filed on April 29, 2015, in TRA Docket 14-00146, for calculating the net operating loss carryforward ("NOLC") balance be modified.⁴

6. The interests of consumers, including without limitation the proposed increase in rates to be paid by consumers under the *Petition*, may be affected by determinations and orders made by the Authority with respect to (i) the interpretation, application, and/or implementation of Tenn. Code Ann. § 65-5-103(a), Tenn. Code Ann. § 65-5-103(d), and other relevant statutory and regulatory provisions, (ii) the review and analysis of the documentation, financial spreadsheets, and materials provided by Atmos Energy, and (iii) the interpretation, application, and/or implementation of the terms and conditions of the Authority's *Order Approving Settlement* filed on November 4, 2015, in TRA Docket 14-00146 ("Order Approving Settlement"), and the *Settlement Agreement* that was approved, adopted, and incorporated into the *Order Approving Settlement*.

¹ *Petition of Atmos Energy Corporation for a General Rate Case and Petition to Adopt Annual Review Mechanism and ARM Tariff* filed on November 25, 2014, in TRA Docket 14-00146, page 3, paragraph 6.

² *Petition of Atmos Energy Corporation for a General Rate Case and Petition to Adopt Annual Review Mechanism and ARM Tariff* filed on November 25, 2014, in TRA Docket 14-00146, page 2, paragraph 4.


³ *Petition at Revenue Requirements Schedules*, at Schedule 1.


⁴ *Petition at Attachment A* (titled Deviation from Approved Methodologies) to the Certificate executed by J. Kevin Akers, President, Kentucky Mid-States Division for Atmos Energy.

7. Only by participating as a party to this proceeding can the Consumer Advocate adequately carry out its statutory duty to represent the interests of Tennessee consumers.

Wherefore, the Consumer Advocate requests the Authority to grant this Petition to Intervene.

RESPECTFULLY SUBMITTED,


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

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This the 17th day of February, 2016.



WAYNE M. IRVIN