

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

IN RE:

**PETITION OF ATMOS ENERGY
CORPORATION FOR APPROVAL OF
ITS 2017 ANNUAL RATE REVIEW FILING
PURSUANT TO TENN. CODE ANN.
§ 65-5-103(d)(6)**

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DOCKET No. 17-00012

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 (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 *Petition of Atmos Energy Corporation for Approval of Its 2017 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6) (Petition)* filed in TRA Docket 17-00012. 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. 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.

3. The Utility's principal place of business is located at Atmos Energy Corporation, 5430 LBJ Freeway, Suite 1800, Dallas, Texas 75240.¹

4. Atmos Energy's *Petition* requests an increase in rates to be paid by Atmos' customers in Tennessee in the amount of \$6,812,179.²

5. The *Petition* also requests that the methodologies reflected in the *Stipulation and Settlement Agreement (Settlement Agreement)* between the Consumer Advocate and Atmos Energy, filed on April 29, 2015, in TRA Docket No. 14-00146, be modified to allow for new allocators on certain new groups of plant assets and to remove capitalized incentive compensation from rate base.³

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 Orders in TRA Docket Nos. 14-00146, 15-00089, 16-00013, and 16-00105, as well as the related settlement agreements as applicable in those Dockets.

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 No. 14-00146, page 2, paragraph 4.

² Pre-Filed Testimony of Gregory K. Waller on Behalf of Atmos Energy Corporation, filed in TRA Docket No. 17-00012 on January 31, 2017, page 4.

³ Attachments A-1 and A-2 (with each titled Deviation from Approved Methodologies) to the Certificate executed by J. Kevin Akers, President, Kentucky Mid-States Division for Atmos Energy Corporation, filed in TRA Docket No. 17-00012 on January 31, 2017.

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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Attorney General and Reporter
State of Tennessee



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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 6th day of March, 2017.



WAYNE M. IRVIN