

IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE

IN RE:)	
)	
ATMOS ENERGY CORPORATION)	DOCKET NO. 18-00003
REQUEST TO CHANGE CERTAIN)	
ARM DATES)	

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 Public Utility Commission (TPUC or Commission) 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 (Atmos) filed in TPUC Docket No. 18-00003. For cause, the Consumer Advocate 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 Commission in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-101 *et seq.*, and Commission rules.
2. Atmos is a public utility regulated by the Commission and provides natural gas service to approximately 132,000 residential, commercial, and industrial customers in Tennessee.
3. Atmos' principal place of business is located at Atmos Energy Corporation, 5430 LBJ Freeway, Suite 1800, Dallas, Texas 75240.¹

¹ Petition of Atmos Energy Corporation for a General Rate Case and Petition to Adopt Annual Review Mechanism and ARM Tariff, TPUC Docket No. 14-00146, at page 2.

4. The Petition in this Docket 18-00003 requests the Commission to shift Atmos' ARM test year period to align it with the Company's fiscal year, which runs October 1 through September 30, as a possible solution to an income tax expense issue disputed in Docket No. 17-00091.² Specifically, Atmos proposes to "shift" the forward-looking filing date from February 1 to June 1, to "shift" the forward-looking test period for the annual budget filing to October 1 through September 30, and to "shift" the implementation date for new rates to October 1.³

5. The Petition also states that Atmos has contemporaneously filed a Motion to Resubmit Reconciliation and Change Dates in Docket No. 17-00091 (Motion), in which the Consumer Advocate is already a Party.⁴

6. Atmos requests that the Commission consider and decide the Motion and current Petition together.⁵

7. The interests of consumers, including without limitation potential changes to the ARM filing dates under the Petition, as well as the potential impact of those potential changes on approved methodologies and rates paid by consumers, may be affected by determinations and orders made by the Commission with respect to (a) Tenn. Code Ann. § 65-5-103(d) and other relevant statutory and regulatory provisions, (b) the review and analysis of the filings, documentation, financial spreadsheets, and materials provided by Atmos Energy, and (c) the interpretation, application, and/or implementation of the terms and conditions of the Commission's

² Petition of Atmos Energy Corporation in Docket No. 18-00003 (Petition), at page 2. The Consumer Advocate would respectfully note that there has been no agreement or settlement by the Parties on all of the issues, including without limitation the referenced income tax expense issue, in TPUC Docket No. 17-00091. Further, in view of the additional discovery, analysis, calculations, and amendments to existing agreements and orders that would, in the ordinary course, be required to consider and implement any possible solution, the Consumer Advocate has not taken a position on the merits or implications of possible solutions to the referenced income tax expense issue.

³ Petition, at page 3.

⁴ See Order Granting the Petition to Intervene Filed by Consumer Advocate, Docket No. 17-00091, October 6, 2017.

⁵ Petition, at page 2.

Orders in TPUC Docket Nos. 14-00146, 15-00089, 16-00013, 16-00105, and 17-00091, as well as the related settlement agreements as applicable in those Dockets.

8. 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 Commission 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 11th day of January, 2018.



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