

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)	
)	
ATMOS ENERGY CORPORATION)	DOCKET NO. 21-00019
FOR APPROVAL OF ITS 2021 ANNUAL RATE)	
REVIEW FILING PURSUANT TO TENN.)	
CODE ANN. § 65-5-103(d)(6))	

PETITION TO INTERVENE

Herbert H. Slatery III, Attorney General and Reporter for the State of Tennessee, by and through the Consumer Advocate Unit in the Financial 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 the “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 for Approval of Its 2021 Annual Rate Review Filing Pursuant to Tenn. Code Ann. § 65-5-103(d)(6)* (Petition) filed in TPUC Docket No. 21-00019. 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 Commission in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. §§ 4-5-101, *et seq.*, and TPUC rules.
2. Atmos Energy Corporation (“Atmos Energy” or the “Utility”) is a public utility regulated by the Commission and provides natural gas service to more than 152,000 residential,

commercial, and industrial customers in Tennessee.¹

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

4. Atmos Energy's Petition requests an increase in rates to be paid by Atmos Energy's customers in Tennessee in the amount of \$7,896,570.³

5. The Petition also requests approval for a deviation from the methodologies established in the approved *Stipulation and Settlement Agreement*⁴ in TRA⁵ Docket No. 14-00146. In Workpaper 7-9, the "adjustment for [Excess Deferred Income Taxes] includes additional amortization as reflected in the Settlement Agreement filed November 3, 2020 in TPUC Docket No 18-00034."⁶

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 Commission 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 Commission's Orders in TPUC Docket

¹ *Petition, Schedule 11-3, 2020 Revenue Requirement Schedules – TY FY 2020.*

² *Atmos Energy Corporation Annual Reconciliation of Annual Review Mechanism, p. 1*, TPUC Docket No. 18-00097 (September 4, 2018).

³ *Pre-Filed Testimony of William D. Matthews on Behalf of Atmos Energy Corporation* (Direct Testimony of William Matthews) at 4:4-5, TPUC Docket No. 21-00019 (January 23, 2021).

⁴ *Order Approving Settlement, In Re: Petition of Atmos Energy Corporation for a General Rate Increase Under T.C.A. 65-5-103(a) and Adoption of An Annual Rate Review Mechanism Under T.C.A 65-5-103(d)(6)*, TRA Docket No. 14-00146 (November 4, 2015).

⁵ The Tennessee Regulatory Authority, or TRA, is the predecessor agency to the TPUC, just as the Tennessee Public Service Commission predated the TRA. While the nomenclature has changed, the scope and function of these entities has remained essentially the same.

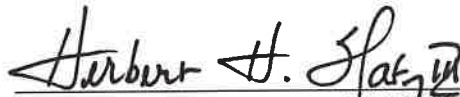
⁶ Direct Testimony of William Matthews at 10:12-17. This deviation is described in the Company's CONFIDENTIAL Attachment A to the Certification included in its filing. *Id.* at 10:21-22.

Nos. 14-00146, 15-00089, 16-00013, 16-00105, 17-00012, 17-00091, 18-00067, 18-00097, 18-00112, and 19-00076, as well as the related settlement agreements as applicable in those Dockets.

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.

Accordingly, the Consumer Advocate respectfully requests the Commission to grant this Petition to Intervene.

RESPECTFULLY SUBMITTED,



HERBERT H. SLATTERY III (BPR No. 09077)
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 24th day of February, 2021.

Karen H. Stachowski
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