

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

December 2, 2021

IN RE:)	
)	
PETITION OF ATMOS ENERGY CORPORATION)	DOCKET NO.
FOR WAIVER OF 2021 METER TESTING UNDER)	21-00109
TPUC RULE 1220-04-05-.26(1)(e))	

ORDER GRANTING WAIVER FOR 2021 METER TESTING

This matter came before Chairman Kenneth C. Hill, Vice Chairman Herbert H. Hilliard, Commissioner Robin L. Morrison, Commissioner John Hie and Commissioner David F. Jones of the Tennessee Public Utility Commission (“Commission” or “TPUC”) during the regularly scheduled Commission Conference held on November 1, 2021, to consider the *Petition for Waiver of Requirement that Meter Testing Under TPUC Rule 1220-04-05-.26(1)(e) be Completed in Calendar Year 2021* (“*Petition*”) filed on September 14, 2021 by Atmos Energy Corporation (“Atmos”, “Company”). In summary, the *Petition* was granted.

THE *PETITION*

On September 14, 2021, Atmos filed the *Petition* requesting the Commission to waive completion of its annual meter testing obligation within calendar year 2021 under TPUC Rule 1220-04-05-.26(1)(e), which states:

Unless otherwise authorized by the Commission each utility shall make periodic tests of meters, associated devices and instruments, to assure their accuracy. Such tests shall be scheduled within the calendar year, or earlier, when the interval shall not be longer than provided for in the following schedule where applicable. (Note: Maintenance programs suggested by manufacturers of the following meters and devices should be carefully followed.)

1. Positive displacement meters	
(i) Up to 250 c.f. / hr	10 years
(ii) 250 c.f. / hr.	7 years
2. Orifice meters	6 months
(i) Plates and Tubes	2 years
3. Base pressure correcting devices	2 years
4. Base volume correcting devices	2 years
5. Secondary standards	
(i) Test bottles, one cubic foot	10 years
(ii) Dead weight testers	6 months–minimum
6. Working standards	
(i) Bell provers	3 years
(ii) Rotary displacement test meters	5 years
(iii) Flow provers	5 years
(iv) Laboratory quality indicating pressure gauges	6 months
(v) Temperature recorders	6 months
(vi) Gravimeters	6 months

In the pre-filed testimony in support of the *Petition*, Brannon C. Taylor asserted that the reopening of meter testing at this time would increase unnecessary human interaction and may result in the spread of the coronavirus.¹ Therefore, this *Petition* was filed as the additional waiver request beyond the waiver granted in TPUC Docket No. 21-00017 as the Company does not expect to be able to complete the 2021 meter testing in this calendar year.²

According to the Company, completing the 2021 meter testing requirements over the remaining portion of calendar year 2021 may not be feasible. As such, Atmos requested the Commission to waive the Company’s obligation to complete its 2021 meter testing requirements within this calendar year.³ No one requested to intervene in this docket.

¹ Brannon C. Taylor, Pre-Filed Direct Testimony, p. 4 (September 14, 2021).

² *Id.* at 3-4.

³ *Petition*, p. 3 (September 14, 2021).

THE HEARING

The hearing in this matter was noticed by the Commission on October 22, 2021 and held during the regularly scheduled Commission Conference on November 1, 2021. Participating in the Hearing were:

Atmos Energy Corporation – Erik C. Lybeck, Esq., Neal & Harwell, 1201
Demonbreun Street, Suite 1000, Nashville, Tennessee 37203

Mr. Brannon C. Taylor provided testimony and was available to answer any questions. Members of the public were given an opportunity to offer comments, but no one sought recognition to do so.

FINDINGS AND CONCLUSIONS

Based upon a review of the record in its entirety and consideration of the Company's presentation, the panel found that the Company's temporary suspension of its meter testing program to help limit the spread of coronavirus constitutes good cause for waiver of the Company's meter testing requirements under Commission Rule 1220-04-05-.26(1)(e). Due to the length of the ongoing public health crisis, the panel voted unanimously that Atmos should be relieved of its obligation to complete meter testing associated with calendar year 2021 and approved the Company's petition as filed.

IT IS THEREFORE ORDERED THAT:

1. The *Petition for Waiver of Requirement that Meter Testing Under TPUC Rule 1220-04-05-.26(1)(e) be Completed in Calendar Year 2021* filed on September 14, 2021, by Atmos Energy Corporation is approved.
2. Any party aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within fifteen (15) days from the date of this Order.
3. Any party aggrieved by the Commission's decision in this matter has the right to

judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section,
within sixty (60) days from the date of this Order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Chairman Kenneth C. Hill,
Vice Chairman Herbert H. Hilliard,
Commissioner Robin L. Morrison,
Commissioner John Hie, and
Commissioner David F. Jones concurring.**

None dissenting.

ATTEST:

A handwritten signature in cursive script, appearing to read "Earl Taylor", written in black ink.

Earl R. Taylor, Executive Director