

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

IN RE:)
)
ATMOS ENERGY CORPORATION) **DOCKET NO. 22-00084**
2021-2022 ACA FILING FOR TENNESSEE)
EXCLUDING UNION CITY AND FOR UNION CITY)

PETITION TO INTERVENE

The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”), by and through Jonathan Skrmetti, Attorney General and Reporter for the State of Tennessee, 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 *Atmos Energy Corporation 2021-2022 ACA Filing for Tennessee Excluding Union City and for Union City* (“ACA Filing”) filed by Atmos Energy Corporation (“Atmos Energy” or the “Company”) in this Docket. 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 TPUC rules.

2. Atmos Energy is incorporated under the laws of Texas and Virginia and is engaged in the business of transporting, distributing, and selling natural gas.¹ Atmos Energy is a public

¹ *Petition of Atmos Energy for Approval of 2018 Annual Reconciliation Filing*, p. 2, TPUC Docket No. 18-00097 (Aug. 31, 2018).

utility pursuant to the laws of the State of Tennessee and, as such is subject to the jurisdiction of the Commission.² Atmos Energy's principal place of business is located at 5430 LBJ Freeway, Suite 1800, Dallas, Texas 75240.³

3. This Docket involves the Purchased Gas Adjustment Rule ("PGA Rule") which permits a TPUC-regulated gas company "to recover, in a timely fashion, the total cost of gas purchased for delivery to its customers and to assure that the Company does not over-collect or under-collect Gas Costs from its customers."⁴ The Commission Staff will conduct an audit of Atmos Energy's compliance with the Actual Cost Adjustment ("ACA") and Refund Adjustment ("RA") of the PGA Rule. As explained by Commission Staff,

The ACA is the difference between the revenues billed customers by means of the [Gas Cost Adjustment or] GCA and the cost of gas invoiced the Company by suppliers plus margin loss (if allowed by order of the TPUC in another docket) as reflected in the Deferred Gas Cost account. The ACA then 'trues-up' the difference between the actual gas costs and the gas costs recovered from customers through a surcharge or a refund.⁵

The goal of the audit is to "verify that the Company's calculations of gas costs incurred and recovered were materially correct, and that the Company is following all Commission orders and directives with respect to its calculation of the ACA Account balance."⁶

4. In its current ACA Filing, Atmos Energy seeks the Commission's approval of the 2021-2022 Actual Cost Accounting balances for Tennessee excluding Union City and for Union City.⁷ Atmos Energy states in its ACA Filing that "[t]he ACA rates will be incorporated into the

² *Id.*

³ *Id.* at p. 1.

⁴ TENN. COMP. R. & REGS. 1220-04-07-.02(1).

⁵ *Notice of Filing by the Utilities Division of the Tennessee Public Utility Commission*, Exhibit A, pp. 1-2, TPUC Docket No. 21-00100 (June 22, 2022).

⁶ *Id.* at Exhibit A, p. 2.

⁷ *Atmos Energy Corporation 2021 ACA Filing for Tennessee Excluding Union City and for Union City*, p. 1, TPUC Docket No. 21-00100 (Aug. 31, 2022).

PGA filings for the October 2022 Filing filed August 30, 2022, to be effective October 1, 2022.”⁸

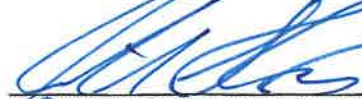
5. The interests of consumers may be affected by determinations and orders made by TPUC with respect to: (a) the interpretation, application, and implementation of TENN. COMP. R. & REGS. 1220-04-07-.01, *et seq.*, and other relevant statutory and regulatory provisions; and (b) the review and analysis of Atmos Energy’s documentation, financial spreadsheets, and other materials. As the interest of Tennessee consumers may be determined in this proceeding, the Consumer Advocate qualifies by provision of law, TENN. CODE ANN. § 65-4-118(b)(1), as an intervenor in this matter to represent these interests.

6. 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 grant this Petition to Intervene and to grant the Consumer Advocate and the consumers of Tennessee such other relief as may be deemed appropriate under the circumstances.

Signature on following page.

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,
with a curtesy copy provided via electronic mail, upon:

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This the 26th day of September 2022.



MASON C. RUSH
Assistant Attorney General