

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE**

**IN RE:** )  
 )  
**PETITION OF ATMOS ENERGY** )  
**CORPORATION FOR APPROVAL** )  
**OF NEGOTIATED FRANCHISE** ) **Docket No. 26- 00044**  
**AGREEMENT WITH THE METRO** )  
**LYNCHBURG MOORE COUNTY,** )  
**TENNESSEE** )

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**DIRECT TESTIMONY OF MARK A. MARTIN  
ON BEHALF OF ATMOS ENERGY CORPORATION**

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1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Mark A. Martin. My business address is 3275 Highland Pointe Drive,  
3 Owensboro, Kentucky 42303.

4 **Q. BY WHOM AND IN WHAT CAPACITY ARE YOU EMPLOYED?**

5 A. I am employed by Atmos Energy Corporation (“Atmos Energy” or the “Company”) as  
6 Vice President - Rates and Regulatory Affairs for the Kentucky/Mid-States Division,  
7 which includes Atmos Energy’s operations in Metro Lynchburg Moore County,  
8 Tennessee.

9 **Q. PLEASE DESCRIBE YOUR CURRENT RESPONSIBILITIES WITH ATMOS**  
10 **ENERGY AND YOUR PROFESSIONAL AND EDUCATIONAL BACKGROUND.**

11 A. I am responsible for external affairs including public affairs, governmental affairs, and all  
12 rates and regulatory affairs in Kentucky, Tennessee, and Virginia. I graduated from  
13 Eastern Illinois University in 1995 with a degree in Accounting. I have been with Atmos  
14 Energy since September 1995. I have served in a variety of positions of increasing  
15 responsibility in Public Affairs, Rates and Regulatory Affairs, and the Kentucky/Mid-  
16 States Division prior to assuming my current responsibilities in October 2025.

17 **Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE THE**  
18 **TENNESSEE PUBLIC UTILITY COMMISSION (“COMMISSION”)?**

19 A. Yes. I have previously submitted pre-filed testimony in support of Atmos Energy’s  
20 Petition for approval of its franchise agreement with the City of Jonesborough, TPUC  
21 Docket No. 26-00043.

22 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

23 A. I am testifying on behalf of Atmos Energy in support of the petition filed to approve the  
24 franchise between Atmos Energy and Metro Lynchburg Moore County, Tennessee.

1 **Q. IN YOUR CAPACITY AS VICE PRESIDENT - RATES AND REGULATORY**  
2 **AFFAIRS FOR THE KENTUCKY/MID-STATES DIVISION OF ATMOS**  
3 **ENERGY, ARE YOU FAMILIAR WITH THE NATURAL GAS DISTRIBUTION**  
4 **SYSTEM OPERATED BY ATMOS ENERGY IN LYNCHBURG, TENNESSEE?**

5 A. Yes, I am familiar with the distribution system in Lynchburg, Tennessee, as well as in  
6 surrounding communities served by the Atmos Energy system.

7 **Q. PLEASE GIVE THE COMMISSION AN OVERALL DESCRIPTION OF THE**  
8 **METRO LYNCHBURG MOORE COUNTY, TENNESSEE DISTRIBUTION**  
9 **SYSTEM AND THE CUSTOMERS SERVED.**

10 A. There are approximately 296 customers located within the county limits being served by  
11 the natural gas distribution system owned and operated by Atmos Energy. Of that  
12 amount, approximately 60% are residential customers and 40% are in other customer  
13 classes such as commercial and industrial.

14 The Atmos Energy system consists of approximately 13.5 miles of pipe within the Metro  
15 Lynchburg Moore County limits. This pipe is comprised of distribution mains and  
16 service lines. The majority of this pipe is located within the public rights-of-way of  
17 Lynchburg. Without access to these public rights-of-way, Atmos Energy could not  
18 adequately maintain, replace and/or operate its distribution system.

19 **Q. HAS ATMOS ENERGY OPERATED A NATURAL GAS DISTRIBUTION**  
20 **SYSTEM IN METRO LYNCHBURG MOORE COUNTY FOR A NUMBER OF**  
21 **YEARS?**

22 A. Yes. Atmos Energy and its predecessor entity have operated for many years in Metro  
23 Lynchburg Moore County under a franchise agreement with the Metro Lynchburg Moore  
24 County. The franchise agreement allowed Atmos Energy's predecessor entity to operate a  
25 gas system within Metro Lynchburg Moore County and to use the public rights of way of  
26 Lynchburg for its distribution system and related plan and access thereto for a 10-year

1 period, with the possibility of two successive periods of 5 years each, allowing for a total  
2 franchise length of twenty years.

3 **Q. COULD YOU PLEASE EXPLAIN THE CIRCUMSTANCES THAT CAUSED A**  
4 **NEED FOR A NEW FRANCHISE AGREEMENT BETWEEN ATMOS ENERGY**  
5 **AND METRO LYNCHBURG MOORE COUNTY?**

6 A. Yes. Under § 65-26-101 of the Tennessee Code Annotated, Atmos Energy is required to  
7 have the consent of Metro Lynchburg Moore County, in the form of a municipal  
8 ordinance, in order to enter onto the streets and alleys of Metro Lynchburg Moore County  
9 for the purpose of placing, maintaining, or expanding its natural gas distribution facilities.  
10 Atmos Energy and its predecessor entity have been providing natural gas service to  
11 Metro Lynchburg Moore County for the last 20 years pursuant to the ordinances I have  
12 previously mentioned. As the term of the ordinance expired on May 15, 2026, Atmos  
13 Energy and Metro Lynchburg Moore County have entered into a new franchise  
14 agreement allowing Atmos Energy to continue to serve Metro Lynchburg Moore County  
15 into the future.

16 **Q. WHEN DID ATMOS ENERGY BEGIN PURSUING A NEW FRANCHISE**  
17 **ARRANGEMENT WITH METRO LYNCHBURG MOORE COUNTY?**

18 A. The Company and Metro Lynchburg Moore County began discussions in March 2026  
19 and a proposed new franchise ordinance followed from those discussions.

20 **Q. HOW DOES THE NEW FRANCHISE AGREEMENT COMPARE WITH THE**  
21 **OLD ONE?**

22 A. The proposed franchise in substance extends the term of the current franchise for ten (10  
23 years, with extensions for two successive periods of five (5) years each. There is no  
24 franchise fee in the franchise agreement.

25 **Q. IS COMMISSION APPROVAL REQUIRED FOR THIS NEW FRANCHISE**  
26 **AGREEMENT?**

1 A. Yes. Under § 65-4-107 of the Tennessee Code Annotated, the new franchise agreement  
2 will not be valid unless and until approved by this Commission.

3 **Q. WHAT IS THE STANDARD TO BE UTILIZED BY THE COMMISSION IN**  
4 **DETERMINING WHETHER TO APPROVE THE NEW FRANCHISE**  
5 **AGREEMENT?**

6 A. Under the statute, the Commission is authorized to approve the ordinance if it finds that it  
7 “is necessary and proper for the public convenience and properly serves the public  
8 interest.”

9 **Q. IN YOUR OPINION, ARE THE METRO LYNCHBURG MOORE COUNTY**  
10 **FRANCHISE AGREEMENT’S TERMS NECESSARY AND PROPER FOR THE**  
11 **PUBLIC CONVENIENCE AND IN THE PUBLIC INTEREST?**

12 A. Yes, on a number of grounds.

13 *First*, the new franchise facilitates the provision of such natural gas service to Metro  
14 Lynchburg Moore County by an established and proven provider of that service well  
15 known to both Metro Lynchburg Moore County and this Commission and possessing the  
16 requisite expertise, facilities, systems, and gas supply and transportation assets necessary  
17 to provide such service.

18 *Second*, the new franchise arrangement establishes adequate and proper mechanisms for  
19 access by the Company to public rights-of-way, new and existing customers, and its  
20 distribution facilities. These mechanisms help to ensure that Atmos Energy is able to  
21 provide both adequate and efficient service and to comply with the requirements of this  
22 Commission to ensure the safety and protection of residents and property within Metro  
23 Lynchburg Moore County.

24 *Third*, the various other protective provisions set forth in the new franchise arrangement  
25 provide useful and important tools for Metro Lynchburg Moore County to ensure that its

1 citizens are benefited and not economically harmed by the activities of Atmos Energy  
2 within Metro Lynchburg Moore County.

3 *Fourth*, the new franchise arrangement provides an incentive for Atmos Energy to invest  
4 in infrastructure needed to provide improved and expanded service within Metro  
5 Lynchburg Moore County by ensuring that Atmos Energy will have the right to provide  
6 service within these areas for a sufficient period in order to permit Atmos Energy the  
7 opportunity to recover the capital investment in such facilities under the rates approved  
8 by the Commission.

9 **Q. WHAT ARE YOU ASKING THE COMMISSION TO DO IN THIS**  
10 **PROCEEDING?**

11 A. Based on the facts discussed above, we are asking the Commission to approve the new  
12 franchise agreement between Atmos Energy and Metro Lynchburg Moore County as  
13 reflected in Exhibit 1 to the Petition in this matter.

14 **Q. DO YOU HAVE ANYTHING FURTHER TO ADD TO YOUR TESTIMONY?**

15 A. Not at this time.

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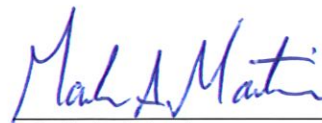
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**VERIFICATION**

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STATE OF KENTUCKY )  
 )  
COUNTY OF DAVIESS )

I, Mark A. Martin, being first duly sworn, state that I am the Vice President - Rates and Regulatory Affairs for the Kentucky/Mid-States Division for Atmos Energy Corporation, that I am authorized to testify on behalf of Atmos Energy Corporation in the above-referenced docket, that the foregoing testimony in support of Atmos Energy Corporation's Petition and supporting documents filed herewith are true and correct to the best of my knowledge, information, and belief.



\_\_\_\_\_  
Mark A. Martin

Sworn and subscribed to before me this 26 day of May, 2026.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: December 8, 2029

