

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)	CASE NO.
CORPORATION FOR AN ADJUSTMENT)	2006-00464
OF RATES)	

O R D E R

On December 28, 2006, Atmos Energy Corporation (“Atmos”) submitted an application to the Commission requesting authority to adjust its rates utilizing a forward-looking test period. The application failed to meet certain filing requirements and was rejected for filing, pursuant to 807 KAR 5:001, Section 2(2), by letter dated January 10, 2007. In response to the rejection notice, Atmos submitted additional information on January 16, 2007.

Based on a review of the additional information supplied by Atmos, the Commission finds that the deficiencies noted in our January 10, 2007 letter have been cured, and that Atmos’s application should be considered filed as of January 16, 2007.

Atmos originally proposed that its rates become effective on February 1, 2007. When it filed the additional information on January 16, 2007, Atmos submitted revised tariffs with a proposed effective date of February 16, 2007.

Based on a review of Atmos’s rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that the investigation cannot be completed by February 16, 2007. Therefore,

pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for 6 months.

IT IS THEREFORE ORDERED that:

1. Atmos's application is considered filed as of January 16, 2007.
2. Pursuant to KRS 278.190(2), Atmos's proposed rates are suspended up to and including August 15, 2007.
3. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.
4. All requests for information and responses thereto shall be appropriately indexed. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to the questions related to the information provided, with copies to all parties of record and 7 copies to the Commission.
5. Any party filing testimony shall file an original and 10 copies.
6. Atmos shall give notice of any hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Atmos shall forward a duplicate of the notice and request to the Commission.
7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.
8. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 9th day of February, 2007.

By the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2006-00464 DATED February 9, 2007

All initial requests for information to Atmos shall
be filed no later than.....02/23/07

Atmos shall file responses to initial requests for
information no later than.....03/16/07

All supplemental requests for information to Atmos
shall be filed no later than03/30/07

Atmos shall file responses to supplemental requests
for information no later than04/13/07

Intervenor testimony, if any, in verified prepared form
shall be filed no later than04/27/07

Pursuant to KRS 278.192(2)(b), actual results for the estimated
months of the base period shall be filed no later than05/15/07

All requests for information to Intervenors shall be
filed no later than.....05/18/07

Intervenors shall file responses to requests for
information no later than.....06/01/07

Pursuant to 807 KAR 5:001, Section 10(8)(d), last day
to file corrections of mathematical errors in the forecasted
test period or revisions reflecting statutory or regulatory
enactments that could not, with reasonable diligence,
have been included in the forecast on the date it was filed06/08/07

Atmos shall file rebuttal testimony, in verified
form no later than06/15/07

Last day for Atmos to publish notice of hearing.....07/03/07

Public Hearing is to begin at 9:00 a.m., Eastern
Daylight Time, in Hearing Room 1 of the Commission's
offices at 211 Sower Boulevard, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses of
Atmos and Intervenors07/10/07

Briefs, if any, shall be filed by.....08/13/07