

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)	
CORPORATION FOR AN ADJUSTMENT OF)	CASE NO.
RATES AND TARIFF MODIFICATIONS)	2015-00343

ORDER

On January 15, 2016, Atmos Energy Corporation (“Atmos”) filed an application for authority to adjust gas rates, including its existing Research and Development (“R&D”) Rider, which is a stand-alone rate designed to recover only the actual level of Atmos’s contributions to support the research of the Gas Technology Institute (“GTI”). The Attorney General’s Office of Rate Intervention (“AG”), an intervenor in this case, raised as an issue the appearance of impropriety relating to the participation of the Commission’s then Chairman, James W. Gardner, who was also serving as a member of GTI’s Public Interest Advisory Committee. To avoid any appearance of impropriety, the R&D Rider was transferred to a new case, Case No. 2016-00070,¹ and Chairman Gardner recused himself from participating in that new case in the investigation the R&D Rider proposed by Atmos.

Chairman Gardner’s term on the Commission expired on April 16, 2016; consequently, there is no longer any issue relating to the appearance of impropriety regarding the investigation of the Atmos R&D Rider in this rate case. To achieve administrative efficiencies, we have today entered an Order in Case No. 2016-00070

¹ Case No. 2016-00070, *An Investigation of an Increase in R & D Rider Proposed by Atmos Energy* (Ky. PSC Feb. 8, 2016).

transferring the investigation of the Atmos R&D Rider back to this rate case, transferring a copy of the record from Case No. 2016-00070 into the record of this rate case, and closing Case No. 2016-00070. In addition, we now schedule a hearing in this rate case.

IT IS THEREFORE ORDERED that:

1. The Atmos R&D Rider as originally filed in this case on January 15, 2016, and subsequently transferred to Case No. 2016-00070, is transferred back to this rate case.

2. A copy of the record compiled in Case No. 2016-00070 shall be transferred to and included in the record of this rate case.

3. A hearing in this matter shall be held on Tuesday, June 28, 2016, at 9:00 a.m. Eastern Daylight Time, at the offices of the Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky.

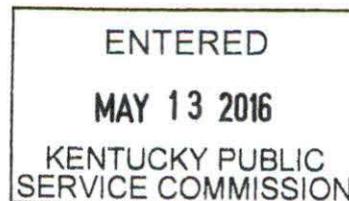
4. Atmos shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Atmos shall forward a duplicate of the notice and request to the Commission.

5. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9)(a), the record of the formal hearing in this matter shall be by digital video recording.

By the Commission

ATTEST:


Acting Executive Director



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