

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

OFFICE OF THE ATTORNEY GENERAL)	
THE COMMONWEALTH OF KENTUCKY)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00057
)	
ATMOS ENERGY CORPORATION)	
)	
DEFENDANT)	

ORDER

A conference between the parties and Commission Staff for the purpose of establishing a mutually agreeable procedural schedule in this matter having been held on February 14, 2006, the February 20, 2006 memorandum of which is incorporated into this Order as if fully set forth herein, and the parties and Commission Staff having agreed to the procedural schedule appended to this Order, IT IS HEREBY ORDERED that:

1. The procedural schedule set forth in Appendix A to this Order shall be followed.
2. a. All requests for information and responses thereto shall be appropriately indexed.
b. All responses to requests for information shall include the name of the witness who will be responsible for responding to the questions related to the information provided.

c. Each response shall be under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

d. The party responding to a request for information shall serve the original, an electronic copy, and 5 paper copies on the Commission and an electronic and paper copy on all parties of record.

e. Any party serving a request for information upon another party to this proceeding shall at the time of service of that request also serve upon that party by electronic mail an electronic copy of its request. The electronic copy shall be in Microsoft Word[®]97 format.

f. All electronic versions of responses to requests for information shall be submitted in portable document format [.pdf] and be capable of viewing with Adobe[®] Acrobat[®] Reader.[™] Spreadsheets shall also be submitted in Microsoft Excel[®]97 format. All spreadsheets in electronic submissions shall be self-contained and shall not contain any linked references to or macro commands involving external files.

g. Within 5 days of the date of this Order, the parties shall advise the Commission and all other parties of record of the electronic mail addresses to which electronic copies of information requests and responses to information requests should be sent.

3. Any party that files written testimony shall file with the Commission an original and 8 copies. Testimony shall be in verified, prepared form.

4. The parties shall consider any request for information from Commission Staff as if ordered by the Commission.

5. Atmos Energy Corporation (“Atmos”) shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, it shall forward a duplicate of the notice and request to the Commission.

6. At any public hearing in this matter, neither opening statements nor summarization of direct or rebuttal testimonies shall be permitted.

7. Any objections or motions relating to discovery or procedural dates shall be filed upon 4 business days’ notice or include an explanation why such notice was not possible.

8. Service of any document or pleading in paper form shall be made in accordance with Administrative Regulation 807 KAR 5:001, Section 3(7), and Kentucky Civil Rule 5.02.

9. Service of any document or pleading in electronic form shall be made by transmitting the document or form by electronic mail to the electronic mail address that the party has designated in compliance with Ordering Paragraph 2(g) of this Order.

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

Done at Frankfort, Kentucky, this 3rd day of March, 2006.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Executive Director

Case No. 2005-00057

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2005-00057 DATED March 3, 2006

The Office of the Attorney General's ("AG") initial data requests for information to Atmos shall be filed no later than..... 03/15/06

Atmos shall file responses to the AG's initial requests for information no later than..... 05/15/06

AG's second data request to Atmos shall be filed no later than 06/14/06

Atmos shall file responses to the AG's second data request no later than 07/12/06

AG's third data request to Atmos shall be filed no later than 08/02/06

Atmos shall file responses to the AG's third data request no later than 08/16/06

AG shall file supplemental testimony, in verified form, no later than 09/15/06

All requests for information to the AG shall be filed no later than..... 10/16/06

AG shall file responses to all requests for information no later than..... 10/30/06

Atmos shall file testimony, in verified form, no later than..... 11/30/06

All requests for information to Atmos shall be filed no later than..... 12/15/06

Atmos shall file responses to requests for information no later than 01/05/07

AG shall file rebuttal testimony, in verified form, no later than..... 01/19/07

Last day for Atmos to publish notice of hearing..... To Be Scheduled

Public Hearing is to begin at 9:00 a.m., Eastern 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 the AG and Atmos..... To Be Scheduled

Briefs, if any, shall be filed by..... To Be Scheduled