

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

IN THE MATTER OF:

Application of Atmos Energy Corporation)
for an Adjustment of Rates) Case No. 2013-00148
and Tariff Modifications)

RESPONSE TO STAND ENERGY CORPORATION'S REPLY

Atmos Energy Corporation (Atmos Energy), by counsel, responds to the reply of Stand Energy. First, Stand attempts to convert its motion to intervene into a “complaint” supporting the need for the Commission to investigate the School Pilot Program. 807 KAR 5:001(19) specifies the requirements for the filing of and the substance of a complaint. Needless to say, the motion to intervene fails on all counts as a complaint. Stand has yet to disclose its claimed knowledge of or representation of any school or school system in Kentucky. KRS 278.260 requires that the person filing a complaint have a “direct interest” in the rate at issue. Stand has not provided any support for such direct interest in a School Pilot Program or any other Atmos Energy rate. Whether Stand claims to be an intervener or a complainant, it must prove to the Commission that it has a special interest or knowledge of the issue. Not only has Stand failed to do so, it has no standing to assert a complaint on behalf of unnamed, unknown, unrepresented customers. As such, the Commission cannot and should not deem the effort by Stand in its Reply to be a “complaint” worthy of review.

Second, Stand asserts that all interventions are full interventions, due to a change in the Commission’s regulations. That argument confuses the procedural aspects of intervention, with the substantive ability of the Commission to limit the issues relevant to a particular case or

hearing. While the current regulation does not distinguish among limited and full intervention, that distinction is irrelevant to Atmos Energy's Objection. The limitation Atmos Energy proposed is that of issues to be heard as part of the review of the rate application – an evidentiary, not participatory, limitation similar to that previously imposed in Louisville Gas & Electric Company, Case No. 2012-00222.

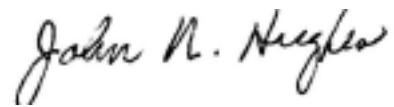
Finally, Stand is not a customer of Atmos Energy. It only nominates gas for one direct billed customer served on the Atmos Energy system.

For these reasons, Atmos Energy reasserts its position that Stand has not stated a direct interest in this case or sufficient basis for it to be considered to have special knowledge of the issues in the case. Consequently, it should not be allowed intervention. However, if intervention is granted, that intervention should be restricted, i.e. limited, to the issues identified in the application, in the Commission's order in Case No.2010-00146 and in Case No. 2012-00222, "The Application of Louisville Gas & Electric Company for An Adjustment of Rates".

Submitted by:

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Certification:

I certify that is a true and accurate copy of the documents to be filed in paper medium; that the electronic filing was transmitted to the Commission on June , 2013; that an original and one copy of the filing will be delivered to the Commission within two days; and that no party has been excused from participation by electronic means.

