

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY )  
CORPORATION FOR AN ADJUSTMENT ) CASE NO. 2013-00148  
OF RATES AND TARIFF MODIFICATIONS )

ATTORNEY GENERAL'S SUPPLEMENT TO EXPEDITED MOTION FOR EXTENSION  
OF TIME AND CONTINUANCE OF HEARING

Comes now the Attorney General ("AG") of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and files this Supplement to Expedited Motion for Extension of Time and Continuance of Hearing originally filed 20 November 2013. The purpose of this Supplement is to support the AG's Expedited Motion for Extension of Time and Continuance of Hearing, and to make the Commission aware of ongoing obstructionist tactics by Atmos Energy Corporation ("Atmos") that make a continuance of the Hearing currently scheduled to commence on 3 December 2013 all the more necessary.

The AG's first request for information from Atmos was filed on 14 August 2013. AG question number eighty-six (86) from that discover request states: "Provide copies of working Excel versions of all filing requirements, all attachments to Atmos' testimony, and Atmos' responses to all parties' data requests." Instructional paragraph number four (4) of that discover request states: "These requests shall be deemed continuing so as to require further and supplemental responses if the company receives or generates

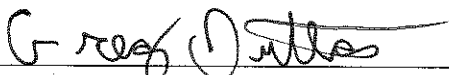
additional information within the scope of these requests between the time of the response and the time of any hearing conducted hereon.”

On 19 November 2013, Atmos filed rebuttal testimony that included ninety (90) pages of excel spreadsheets in pdf. format. As of 14 August 2013, the AG has had a standing discovery request that Atmos provide working excel versions of all Atmos attachments to testimony. Considering that a significant amount of new information was filed with Atmos’ rebuttal testimony, it is all the more imperative that Atmos comply with the AG’s discover requests. The AG attempted to rectify Atmos’ failure to properly follow discovery request instructions via an informal email to Counsel for Atmos. See attachment 1, email from Office of the Attorney General to Counsel for Atmos. As of the filing of this Supplement, the AG has not received a response from Atmos or Counsel for Atmos. The AG has not received the requested information, or any indication that Atmos intends to produce the information in a timely manner. There are now only five (5) full business days before the Hearing is scheduled to commence and the AG is still awaiting requested information from Atmos.

For the reasons stated herein, and all the reasons stated in the AG original Expedited Motion for Extension of Time and Continuance, the AG must be granted a Continuance in order to adequately prepare for the Hearing, due to Atmos’ dilatory and obstructionist actions.

*Certificate of Service and Filing*

Counsel certifies that the Attorney General's Motion for Extension of Time and Delay of Hearing 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 November 21, 2013; that an original and two copies of the filing will be delivered to the Commission within two business days; and that no party has been excused from preparation by electronic service.



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Assistant Attorney General

Respectfully submitted,

JACK CONWAY  
ATTORNEY GENERAL



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