



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

JACK CONWAY
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE
SUITE 200
FRANKFORT, KENTUCKY 40601

September 16, 2013

John N Hughes
Attorney at Law
124 West Todd Street
Frankfort, KENTUCKY 40601

Dear Jack:

Per Jennifer Hans email of 9.11.13 at 10:36 AM, I am contacting you to request further information pertaining to discovery request responses, which were either incomplete or non-responsive. I trust that in light of our efforts to informally resolve Atmos' tardy production of confidential materials, that we can also resolve these issues informally without moving for an amendment to the procedural schedule. In responding to our requests for clarifications, found below, please keep in mind Paragraph 3.d. of the Commission's June 28, 2013, Order, which states:

For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

In keeping with the letter and spirit of the Commission's Order, as well as our mutual efforts to resolve disputes as amicably as possible, we will expect complete and precise responses by Wednesday, or a thorough written explanation detailing the rationale behind your unwillingness to provide such reasonable and pertinent requested information.

Thank you.

1. With regard to your response to AG 1-212(a), we believe your answer is incomplete. Please provide such Orders or Executive Letters approving such special treatment and discounted rates
2. With regard to your response to AG 1-212(f), we believe your answer is incomplete. Please provide documentation from the Commission that each contract is approved. Additionally, please provide evidence that ratepayers must be responsible for the revenue shortfall associated with these discounted rates.
3. With regard to your response to AG 1-212(g), we believe your answer is non-responsive. Please review question AG 1-212(g) again and provide a complete and precise response, as directed by



the Commission. If, as your response asserts, the contracts have been approved by the Commission and have undergone analysis, please provide documentation or other evidence of such.

4. With regard to your response to AG 1-212(i), we believe your answer is incomplete. Service agreements were provided for most discounted rate customers but a few are missing. Specifically, the following service agreements were not provided:
 - a. Premise 123346 (Dart Container)
 - b. Premise 233469 (Arvin Roll)
 - c. Premise 233469 (Pre Coat Metals)
 - d. Premise 233469 (Roll Coat)
5. With regard to your response to AG 1-212(j), we believe your answer is non-responsive. Please review question AG 1-212(j) again and provide a complete and precise response, as directed by the Commission. It is impossible that you do not have a distribution map showing each customer. In addition to supplying this information, please also supply maps that clearly and precisely show where pipelines within your service territory are located.
6. With regard to your response to AG 1-212(k), we believe your answer is non-responsive. Please review question AG 1-212(k) again and provide a complete and precise response, as directed by the Commission. Atmos must know the names of each supplier for every transportation customer as this must be coordinated for billing and contractual reasons. In addition to providing this information, please also supply the names of affiliates.
7. With regard to your response to AG 1-212(l), we believe your answer is non-responsive. Please review question AG 1-212(l) again and provide a complete and precise response, as directed by the Commission. In the unlikely event that supplying this information is impossible, please explain whether there are dedicated facilities serving any of these discounted rates, and if so, the size, type, and length of main as well as special regulating equipment and/or compressor stations devoted to each of these discounted rate customers.
8. With regard to your response to AG 1-140, we believe your answer is incomplete. Please review question AG 1-140 again and provide a complete and precise response, as directed by the Commission. Commission's order in the Big Rivers Electric Corporation (BREC) rate case, Case No. 2011-00036, dated January 29, 2013, page 6, required BREC to provide unredacted copies of legal invoices in order to recover these amounts in the rate case. If Atmos still refuses to provide these documents, please explain whether that action constitutes a waiver of all rate case legal expenses.
9. With regard to your response to AG 1-144(e), we believe your answer is incomplete. Please provide unredacted legal invoices, or in the alternative, an explanation of services.

Sincerely,



Gregory T. Dutton
Assistant Attorney General
Office of Rate Intervention