

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 RESPONSE TO MOTION TO STRIKE SUPPLEMENTAL
AND CORRECTED TESTIMONY

Comes now the Attorney General ("AG") of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and files this Response to Motion to Strike Supplemental and Corrected Testimony.

The AG filed the Supplemental and Corrected Testimony of Bion Ostrander as a professional courtesy to both Atmos Energy Corp ("Atmos" or "the Company") and the PSC. The AG, as is more traditionally done, could have corrected Mr. Ostrander's testimony on the stand, during the Hearing. The corrected testimony was filed in advance of the Hearing in order to give the Company and the Commission as much time as possible to review the information in its entirety before the Hearing, which is currently scheduled for 3 December 2013. Atmos' contention that the corrected testimony is filed too close to the date of the Hearings is entirely unconvincing, especially in light of the Company's filings on the 18th and 19th of November.

The Company may be unaware as they have not been through a full and contested rate case Hearing in several years here in Kentucky, but corrections to testimony are historically, and frequently, given on the stand immediately before cross-examination begins. This is

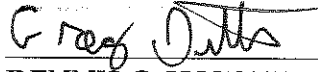
common practice in Hearings before the Commission and as extraordinary as a witness being sworn in before testifying. If the Company would prefer Mr. Ostrander's testimony be stricken, the AG objects only because it disadvantages the Commission via inefficient use of judicial resources, i.e. taking the time to correct Mr. Ostrander's testimony during the Hearing. The Company should not be allowed to make frivolous use of the Commission's time when the corrected testimony can be addressed prior to the Hearing commencing. Again, the Supplemental and Corrected Testimony of Mr. Ostrander was merely a professional courtesy. The AG can just as easily correct Mr. Ostrander's testimony when he testifies during the Hearing.

As to the Company's request for surrebuttal, the AG has no objection provided the AG's request for a Continuance is granted. As the AG has explained in previous filings, Atmos' dilatory filings have already placed the AG in a disadvantaged position. Any additional new filings by the Company absent a continuance would only increase the prejudice the AG has experienced.

In sum, the AG opposes the Company's motion to strike solely on the basis of wasted judicial resources. If the motion to strike is denied, then the AG would not object to surrebuttal testimony on the condition that a continuance is granted.

Respectfully submitted,

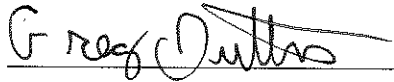
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Certificate of Service and Filing

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 22, 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.

A handwritten signature in black ink, appearing to read "Greg Dutta", is written over a horizontal line.

Assistant Attorney General