

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

Application of Atmos Energy Corporation)
for an Adjustment of Rates) Case No.
and Tariff Modifications) 2017-00349

ATMOS ENERGY CORPORATION'S OBJECTION TO ATTORNEY GENERAL'S
MOTION TO DELAY FILING OF BRIEF

Atmos Energy Corporation (Atmos Energy), by counsel, objects to the Attorney General's Motion for Leave to File Late Post Hearing Brief. The Commission Staff on Thursday, April 12, 2018 issued a supplemental data request to Atmos related to clarification of three issues related to the Pipeline Replacement Program (PRP). The responses were due no later than today, April, 17, 2018 – the same day simultaneous brief were scheduled to be filed.

Today, April, 17 at 3:35 p.m., the Commission staff notified Atmos that the responses filed by Atmos today were not responsive. Almost immediately, the Attorney General indicated in a series of email messages among the Commission Staff and Atmos, that he would seek to delay the filing of his brief due to the Staff's latest discovery to Atmos.

Atmos objects to this delay. The AG has known since last Thursday of the timing of the responses. He made no objection. Had the responses filed today by Atmos been satisfactory, the AG would have had little if any opportunity to supplement his brief to address the supplemental information. He now wants to delay the filing of his brief in its

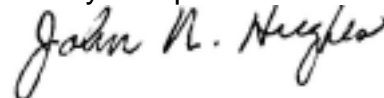
entirety based on a very minor clarification of one issue.

His motion is essentially one of delay to give him the opportunity to file a rebuttal brief. There is no reason to grant his request. He has not been harmed and has not been deprived of his ability to respond to the issues in the case. His brief should be complete and ready to file given the timing of this series of events. What he seeks is an unfair advantage based on a very minor correction to the information already in the record. To grant his motion gives the AG the unfair advantage of responding the Atmos' brief, without the same opportunity for Atmos. Given the pending end of the suspension period, there is not time to revise the briefing schedule.

Atmos proposes that the AG be required to file his brief today and if the Commission believes he has been disadvantaged because of the timing of the Staff's questions and Atmos' responses, he can file a supplemental brief addressing the additional information related to the Staff's questions.

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Certification:

I certify that this 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 April 17, 2018; that six copies of the filing will be delivered to the Commission within two days; and that no party has been excused from participation by electronic means.