

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 WITHDRAWAL OF
MOTION TO ENFORCE PROCEDURAL ORDER

Atmos Energy Corporation (Atmos Energy), by counsel, hereby files this Withdrawal of Motion to Enforce Procedural Order. In its Motion to Enforce Procedural Order, filed in this same proceeding earlier today, Atmos Energy requested that the Commission address certain fundamental issues relating to the record in this proceeding. Atmos Energy still believes that this proceeding has raised procedural issues that may warrant additional consideration by the Commission so that future proceedings do not suffer from the same complications as have arisen here.

In its Motion to Enforce Procedural Order, Atmos Energy expressed its concern that the Attorney General was using this issue as a means to gain additional time to complete its brief. Atmos Energy, through counsel, has spoken to the Attorney General and has been informed that the Attorney General's brief was completed yesterday afternoon, prior to the deadline for filing briefs in this proceeding, and the Attorney General is not seeking to modify his brief except to the extent necessary to reflect additional clarification that Atmos Energy will subsequently provide in response to further post-hearing data requests of Commission Staff.

Since the Attorney General has indicated that it completed his brief yesterday, and since the Attorney General is seeking to amend that document only to the extent necessary to reflect the additional clarification relating to the PRP, Atmos Energy is withdrawing its previously filed motion. Atmos Energy, however, still believes that the appropriate conduct in this situation is for the Attorney General to file its brief in a timely manner and then supplement that brief when the additional information becomes available.

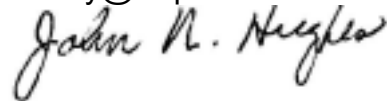
As explained in its Motion to Enforce Procedural Order, Atmos Energy proposed allowing the Attorney General to file a supplemental brief on addressing any issues raised or relating to additional responses to the Commission Staff's request for clarifications. Atmos Energy still believes that is the appropriate means for dealing with a situation such as this.

Atmos Energy renews its proposal to allow the Attorney General to file a supplemental brief addressing additional information provided in response to Commission Staff's requests for clarification. Addressing the situation in this manner would enable the Commission to review the parties' briefs addressing those areas of the proceeding where the record is complete, and then turn to those limited areas where the Attorney General supplements his brief to address any issues raised or relating to additional responses to the Commission Staff's request for clarifications.

Given Atmos Energy's new-found understanding that the Attorney General is not improperly seeking additional time to work on its brief, Atmos Energy withdraws its Motion to Enforce Procedural Order.

Submitted by:

Mark R. Hutchinson
Wilson, Hutchinson & Littlepage
611 Frederica St.
Owensboro, KY 42303
270 926 5011
Fax: 270-926-9394
Randy@whplawfirm.com



John N. Hughes
124 West Todd Street
Frankfort, KY 40601
502 227 7270
Fax: none
jnhughes@johnnhughespsc.com

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 18, 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.