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February 25, 2022

Linda C. Bridwell
Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40601

Re: Atmos Energy Corporation
Case No. 2021-00214

Dear Ms. Bridwell:

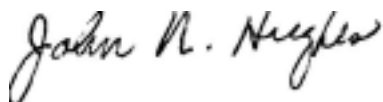
Atmos Energy Corporation submits its revised response to Staff DR 6-15, Attachment 1 pursuant to the Order of February 25th. I certify that the electronic documents are true and correct copies of the original documents and that no party has been excused from electronic service.

If you have any questions about this filing, please contact me.

Submitted By:

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Case No. 2021-00214
Atmos Energy Corporation, Kentucky Division
Staff DR Set No. 6
Question No. 6-15 Revised
Page 1 of 1

REQUEST:

Refer to Atmos's response to Commission Staff's Third Request for Information, Item 25 in Case No. 2018-00281,³ including confidential Attachments 1 and 2 provided in response to that request.

- a. Provide updated versions of Attachment 1 and Attachment 2 in Excel spreadsheet format with all formulas, columns, and rows unprotected and fully accessible for each of tax year ending in 2008 through 2021.
- b. Assuming that all of the timing differences reflected in Attachment 1 and Attachment 2 for each year resulted in a net operating loss (NOL) carryforward (i.e. no portion of the timing differences were used to reduce federal tax expense), provide the total NOL carryforward that Atmos contends could have been generated in each year from the timing differences attributable to Atmos's Kentucky operations, and explain each basis for Atmos's contention.

REVISED RESPONSE:

- a. Please see Attachment 1 FXA02 Summary by Year and Confidential Attachment 2 Bonus Summary by Year.
- b. Please refer to Company Response to AG 2-16, Attachment 1 and Attachment 2 as well as the response to subpart (b) for the explanation as to regarding why the proper amount of NOL generated is attributable to regulated operations. Attachment 1 to AG 2-16 indicates that the Company has had positive book income in each fiscal year after 2008, and the book/tax depreciation adjustments resulted the Company to a cumulatively net operating loss position. Without the book/tax depreciation adjustment contributed to utility net operating loss in each tax year after 2008, the Company would have had a cumulative taxable income as indicated on line 15. As noted in AG 2-16 subpart (b), the schedule is prepared based on the principle of the second ruling provided as Attachment 2 (page 3) of AG 2-16 that "*the use of any method other than the "last dollars deducted" method would be inconsistent with the Normalization Rules*".

Since Atmos Energy files a consolidated tax return which includes both utility and non-regulated operations. The utility NOL represents losses resulting from utility operations, which has been allocated to Kentucky operations based on the agreed upon composite rate of shared costs from Shared Services each year.

ATTACHMENTS:

ATTACHMENT 1 - Staff_6-15_Att1 - FXA02 Summary by Year.xlsx, 5 Pages.

ATTACHMENT 2 - Staff_6-15_Att2 - Bonus Summary by Year (CONFIDENTIAL).xlsx, 2 Pages.

Respondent: Joel Multer

Staff Set 6 Q15
Attachment 1
FXA02 Ending Balance by Year

Debit Balance reflects Deferred Tax Asset
Credit Balance reflects Deferred Tax Liability

Reflects KY related Service areas

Division	Fiscal 2008 FXA02	Fiscal 2009 FXA02	Fiscal 2010 FXA02	Fiscal 2011 FXA02	Fiscal 2012 FXA02	Fiscal 2013 FXA02	Fiscal 2014 FXA02	Fiscal 2015 FXA02	Fiscal 2016 FXA02	Fiscal 2017 FXA02	Fiscal 2018 FXA02	Fiscal 2019 FXA02	Fiscal 2020 FXA02	Fiscal 2021 FXA02
001 Div	1,143,431	201,102	195,735	138,717	141,942	(57,050)	0	0	(60,447)	0	0	0	0	0
002 Div	230,852	(4,242,012)	(4,494,600)	3,959,844	1,649,841	9,749,996	12,402,960	9,880,161	17,524,367	5,709,338	7,085,812	6,275,597	19,914,197	18,771,079
003 Div	(8,565,839)	(9,022,510)	(8,406,498)	(12,169,758)	(13,880,653)	(14,290,728)	(14,815,355)	(15,362,510)	(15,614,565)	(16,491,075)	0	0	0	0
004 Div	(73,077)	(71,642)	(63,146)	(76,510)	(99,586)	(94,117)	(84,295)	(72,449)	(65,736)	(54,480)	0	0	0	0
005 Div	(17,517,065)	(19,330,131)	(16,220,040)	(20,652,960)	(20,838,811)	(19,890,588)	(19,923,491)	(21,338,701)	(20,081,569)	(21,067,065)	(33,286,239)	(33,491,584)	(29,782,204)	(29,798,499)
006 Div	399,959	262,209	(156,774)	(281,277)	(350,037)	(327,217)	(294,546)	(372,843)	(667,710)	(778,261)	0	0	0	0
007 Div	(14,596,282)	(14,375,907)	(13,567,560)	(17,361,736)	(19,027,588)	(21,771,754)	(22,633,343)	(23,220,919)	(23,719,136)	(23,077,413)	(15,954,964)	(18,443,589)	(15,951,915)	(17,824,130)
008 Div	0	(117,769)	(1,076,722)	(7,731,693)	(9,917,121)	(10,052,847)	(10,170,430)	(10,275,683)	(10,329,380)	(10,438,539)	(6,571,654)	0	0	(6,425)
009 Div	(6,818,886)	(8,587,095)	(4,891,646)	(10,382,312)	(12,826,587)	(12,432,306)	(13,319,199)	(16,287,937)	(16,600,785)	(17,987,717)	(12,194,313)	(16,203,651)	(19,039,490)	(23,051,260)
010 Div	(176,037)	(527,055)	(660,856)	(499,159)	(545,720)	(167,523)	(21,373)	(2,184,615)	(628,241)	(462,703)	(46,236)	170,158	278,996	280,059
011 Div	0	0	0	(17,588)	(23,133)	(23,133)	(23,133)	(23,133)	(23,055)	(23,130)	0	0	0	0
012 Div	14,070,688	13,759,961	19,078,119	30,038,691	26,306,713	13,565,418	15,306,528	11,859,027	17,798,432	11,031,015	8,341,972	6,262,768	7,676,717	9,083,799
013 Div	(80,491)	(103,247)	(65,216)	(97,575)	(129,240)	(36,758)	(97,287)	(184,755)	(159,340)	(173,292)	0	0	0	0
014 Div	(461)	9,885	1,042	0	473	0	0	1,495	0	0	0	0	0	0
015 Div	0	2,221	6,078	0	(2,609)	0	0	0	0	0	0	0	0	0
016 Div	(8,885,839)	(9,351,626)	(8,424,202)	(10,194,557)	(9,739,238)	(9,508,886)	(9,316,606)	(9,446,425)	(9,515,611)	(9,501,286)	0	0	0	0
017 Div	0	0	7,902	7,619	7,415	7,224	7,044	6,820	6,883	7,044	0	0	0	0
018 Div	0	0	489,499	430,527	376,153	327,001	278,960	226,370	176,392	143,215	0	0	0	0
019 Div	(1,754,747)	(2,302,463)	(1,996,931)	(2,707,346)	(2,664,392)	(2,763,372)	(2,654,126)	(2,933,245)	(3,048,024)	(2,297,988)	(2,221,778)	(1,993,371)	(1,919,548)	(1,846,815)
020 Div	(405,234)	(453,011)	(308,551)	(393,398)	(526,654)	(548,905)	(554,194)	(568,834)	(544,788)	(540,781)	0	0	0	0
021 Div	0	(1,719,698)	(1,338,623)	(2,185,037)	(2,462,004)	(2,465,801)	(3,207,957)	(2,159,172)	(4,569,988)	(5,204,556)	0	0	0	0
022 Div	(201,074)	(196,920)	0	0	0	0	0	0	0	0	0	0	0	0
030 Div	43,230	(138,253)	(393,819)	310,626	186,760	(580,104)	(511,976)	(2,960,837)	(294,607)	(382,872)	(476,106)	(107,035)	(83,113)	(68,203)
040 Div	196,658	191,482	0	0	0	0	0	(19,514)	(19,514)	0	0	0	0	0
047 Div	77,716	75,671	75,671	0	0	0	0	0	0	0	0	0	0	0
070 Div	(592,907)	(631,528)	(644,548)	(815,967)	(194,558)	(199,123)	(199,123)	(199,123)	(199,096)	(199,096)	(124,476)	0	0	0
071 Div	(440,725)	(482,626)	(376,565)	(465,231)	(345,732)	(82,575)	(367,475)	(370,532)	(370,532)	(370,532)	(51,620)	0	0	0
072 Div	(2,876,977)	(3,081,356)	(2,858,982)	(4,403,472)	(1,328,576)	(1,599,083)	(1,599,083)	(1,599,083)	(1,598,863)	(1,598,864)	(999,624)	0	0	0
077 Div	958,036	(5,065,986)	(3,404,558)	(9,383,438)	(11,555,811)	(17,911,672)	(25,807,939)	(28,922,381)	(30,738,422)	(31,469,960)	(22,228,953)	(26,438,530)	(27,048,216)	(28,850,244)
091 Div	779,177	817,546	882,271	1,135,790	911,264	463,583	(178,836)	(2,138,845)	207,582	430,132	363,463	422,657	462,493	349,179
092 Div	(3,233,838)	(3,283,990)	(2,769,307)	(3,327,399)	(652,998)	(716,529)	(716,528)	(716,529)	(716,430)	(716,430)	(447,919)	0	0	0
093 Div	(21,759,649)	(25,743,968)	(24,979,857)	(26,831,425)	(26,718,567)	(28,004,620)	(30,050,806)	(32,594,895)	(32,863,995)	(33,305,510)	(21,343,708)	(24,030,887)	(25,111,514)	(26,716,728)
095 Div	(9,250,487)	(11,668,000)	(12,402,132)	(13,674,797)	(14,416,324)	(3,185,976)	(3,190,743)	(6,266,516)	(3,190,306)	(3,190,306)	(2,032,093)	0	0	0
096 Div	(1,915,810)	(2,532,116)	(2,276,301)	(3,066,748)	(4,034,783)	(4,458,854)	(5,306,884)	(3,682,783)	(6,309,353)	(6,703,924)	(4,602,295)	(4,394,736)	(4,052,336)	(4,623,287)
097 Div	(4,414,606)	(4,815,473)	(4,525,780)	(5,969,433)	(1,431,425)	(1,938,467)	(1,938,467)	(1,938,467)	(1,938,201)	(1,938,201)	(1,211,781)	0	0	0
098 Div	(773,130)	(609,690)	(445,914)	(591,009)	(46,146)	(117,702)	(188,050)	(117,686)	(117,686)	(73,578)	0	0	0	0
099 Div	-	(287,018)	(67,486)	(106,307)	(96,187)	(73,879)	(73,879)	(73,879)	(73,869)	(73,869)	(46,183)	0	0	0
107 Div	61,625	80,513	101,197	118,341	132,875	150,483	223,126	(2,489,615)	196,895	213,698	143,726	0	0	0
170 Div	(19,402,742)	(22,530,746)	(23,615,141)	(27,841,792)	(29,867,432)	(35,675,281)	(39,154,907)	(43,871,726)	(49,770,366)	(53,405,712)	(33,270,678)	(35,619,515)	(35,800,526)	(39,184,430)
171 Div	0	0	0	0	0	0	4,421	19,180	15,666	(28,678)	0	0	0	0
172 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
190 Div	211,787,820	173,334,375	194,122,039	178,237,970	149,284,936	122,511,039	103,452,547	80,388,819	77,104,231	71,499,655	37,446,182	34,599,146	24,854,672	13,968,868
700 Div	81,772,941	53,741,043	48,065,507	37,313,349	26,535,997	12,573,450	2,245,554	(26,310,606)	(30,062,037)	(32,008,504)	(26,850,569)	(30,244,267)	(35,616,323)	(49,947,789)
830 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
979 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
982 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
989 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
990 Div	0	0	0	0	0	0	0	0	0	0	0	0	0	0
COLO DV	(6,847,373)	(8,386,397)	(8,990,565)	(9,319,021)	(8,750,200)	(8,925,029)	(8,803,208)	(10,651,876)	(9,049,338)	(8,796,063)	(5,768,535)	(5,260,662)	(4,973,367)	(5,071,239)
KANS DV	(16,842,862)	(18,933,409)	(16,548,830)	(20,392,917)	(22,278,313)	(24,387,843)	(25,834,947)	(28,025,687)	(27,083,048)	(26,753,256)	(16,722,238)	(18,275,639)	(13,552,947)	(14,702,423)
Division Total	164,095,995	63,884,366	97,046,008	40,751,895	(9,215,852)	(62,939,337)	(106,761,618)	(187,348,912)	(186,987,643)	(220,079,469)	(153,173,063)	(166,774,491)	(159,746,239)	(199,240,720)
Utility	164,095,995	63,884,366	97,046,008	40,751,895	(9,215,852)	(62,939,337)	(106,761,618)	(187,348,912)	(186,987,643)	(220,079,469)	(153,173,063)	(166,774,491)	(159,746,239)	(199,240,720)
Non-Utility	(9,759,409)	33,032,749	(10,497,400)	(8,884,622)	(7,558,427)	(6,562,859)	(6,690,377)	(6,394,134)	(7,237,863)	(4,701,539)	(3,042,464)	(2,729,278)	(2,578,641)	(2,445,647)
Consolidated	154,336,586	96,917,115	86,548,608	31,867,273	(16,774,279)	(69,502,196)	(113,451,995)	(193,743,046)	(194,225,506)	(224,781,008)	(156,215,527)	(169,503,769)	(162,324,880)	(201,686,367)

