



RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

September 26, 2018

for A/R
10/9 cc A.O.

The Honorable James Oakley
Burnet County Judge
220 South Pierce Street
Burnet, Texas 78611

RE: GUD No. 10742: *Statement of Intent Filed by Atmos Energy Corp. (Atmos) to Change Gas Utility Rates Within the Unincorporated Areas of its Mid-Tex Division*

Dear Judge Oakley:

Enclosed is the Notice of Hearing for the above-referenced gas utility docket at the Railroad Commission of Texas ("Commission"). This Notice of Hearing is being provided to you, as governing body of an affected county, in accordance with Section 104.105(c) of the Texas Utilities Code.

Contact for Additional Information – In accordance with 16 Tex. Admin. Code § 1.7, *ex parte* communications with Administrative Law Judges, Examiners, and Commissioners are prohibited. If you have clerical, docketing, or other questions unrelated to the merits of the above-referenced case, please contact Docket Services at (512) 463-6848, or my paralegal, Megan Schimcek, at (512) 463-6793.

Sincerely,

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

Dana Avant Lewis
Administrative Law Judge

Enclosure
cc: Service List

**BEFORE THE
RAILROAD COMMISSION OF TEXAS**

**STATEMENT OF INTENT FILED BY
ATMOS ENERGY CORP. TO CHANGE
GAS UTILITY RATES WITHIN THE
UNINCORPORATED AREAS OF ITS
MID-TEX DIVISION**

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**GAS UTILITIES DOCKET
NO. 10742**

September 26, 2018

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On June 29, 2018, Atmos Energy Corporation, Mid-Tex Division (“Atmos”), filed with the Commission a Statement of Intent to Change Gas Utility Rates Within the Unincorporated Areas of its Mid-Tex Division (the “SOI”). The SOI was docketed as GUD No. 10742. As part of its rate filing, Atmos requests that the Commission: (1) change the gas utility rates within the unincorporated areas of its Mid-Tex Division; (2) approve the prudence of capital investment made for the period from April 1, 2012, through December 31, 2017; (3) approve Gas Reliability Infrastructure Program filings for April 1, 2012, through December 31, 2012, and for the calendar years 2013, 2014, 2015, 2016, and 2017; and (4) authorize Atmos to recover all reasonable rate case expenses incurred in connection with its SOI.

On August 21, 2018, the Commission suspended the effective date for Atmos’s rate increase for 150 days, pursuant to Section 104.107 (Rate Suspension; Deadline) of the Gas Utility Regulatory Act (“GURA”) of the Texas Utilities Code.

Intervening Parties. Commission staff (“Staff”) intervened as a party “to assert its interest in assuring that the rules and regulations of the Railroad Commission of Texas, together with the appropriate statutes, have been followed.”

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in—or relevant to—Atmos’s Requested Relief.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over Atmos and the matters at issue in this proceeding pursuant to GURA Sections 102.001 (Railroad Commission Jurisdiction), 103.003 (Surrender of Municipal Jurisdiction to Railroad Commission; Reinstatement of Jurisdiction), 103.051 (Appeal by Party), 103.052 (Appeal by Residents), 103.053 (Appeal by Ratepayers Outside Municipality), and 104.001 (Authorization to Establish and Regulate Rates), and pursuant to GURA Sections 121.051 (Gas Utility: Public Interest and Jurisdiction of Railroad Commission), 121.052 (Pipelines: Monopolies Subject to Railroad Commission), and 121.151 (Railroad Commission Regulation of Gas Pipelines).

The presiding Administrative Law Judge ("ALJ") shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, and other applicable authority.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include, but are not limited to, the following:

1. All sections in GURA Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines); and
2. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

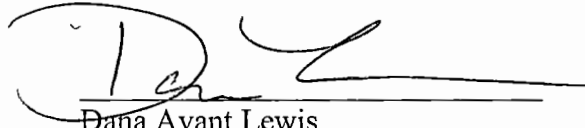
Time, Place, and Nature of Hearing. **IT IS DIRECTED** that the hearing on the merits shall commence at **9:00 a.m. on Friday, October 26, 2018**, in the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services the morning of the hearing for the specific room location. If the hearing is not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

IT IS FURTHER DIRECTED that all parties desiring to present sworn testimony, documentary and demonstrative evidence, and argument regarding any issue of law or fact at the final hearing on the merits **SHALL** file a Notice of Intent to Appear five days prior to the scheduled hearing and shall appear in person or by an attorney. For good cause shown, the ALJ may permit part of the proceeding to be conducted telephonically pursuant to Commission Rule § 1.112 (Proceeding by Telephony).

Written Transcript of the Hearing. The record of the hearing will be made by stenographic transcription by the court reporter. Any party that desires a copy of the written transcript of the hearing should contact the court reporter at (512) 282-0313. The Commission may assess the cost of the transcript or expedited transcript to one or more parties pursuant to Section 2001.059 (Transcript) of the Texas Government Code.

Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information – In accordance with Tex. Gov't Code §2001.061 and 16 Tex. Admin. Code § 1.6, ex parte communications with the Administrative Law Judges, Examiners, and Commissioners are prohibited. Any persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Capitol Station, and Austin, Texas 78711-2967. Any persons or entities having clerical questions, such as questions regarding the number of copies of filings, the service list or reviewing the record, may contact, Docket Services, at (512) 463-6848.

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Dana Avant Lewis
Administrative Law Judge