

241

CHRISTI CRADDICK, *CHAIRMAN*
WAYNE CHRISTIAN, *COMMISSIONER*
JIM WRIGHT, *COMMISSIONER*



DANA AVANT LEWIS, *DIRECTOR*

RAILROAD COMMISSION OF TEXAS HEARINGS DIVISION

February 14, 2025

TO: ALL GOVERNING BODIES

Re: **OS-24-00019196, Consolidated:** Statement of Intent Filed by Atmos Energy Corp. to Change Gas Utility Rates Within the Unincorporated Areas of the Mid-Tex Division

Enclosed is the Notice of Hearing for the above-referenced gas utility docket at the Railroad Commission of Texas. No action is required on your part. This Notice was issued to the parties in this docket on February 10, 2025, and is being provided to you, as governing body of an affected municipality or county, in accordance with the Texas Utilities Code.¹

Sincerely,

A handwritten signature in black ink, appearing to read "Brennan J. Foley".

Brennan J. Foley
Administrative Law Judge

Enclosure

¹ See Tex. Util. Code § 104.105(c) ("The regulatory body shall give reasonable notice of the hearing, including notice to the governing body of each affected municipality and county.").

BEFORE THE RAILROAD COMMISSION OF TEXAS

STATEMENT OF INTENT FILED BY	§	
ATMOS ENERGY CORP. TO CHANGE	§	
GAS UTILITY RATES WITHIN THE	§	HEARINGS DIVISION
UNINCORPORATED AREAS OF THE	§	OS-24-00019196, <i>Consolidated</i>
MID-TEX DIVISION	§	

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On November 18, 2024, Atmos Energy Corp., on behalf of its Mid-Tex Division ("Atmos"), filed with the Commission a statement of intent ("SOI") to change gas utility rates within the unincorporated areas of its Mid-Tex Division. The SOI was docketed as OS-24-00019196. Among the relief Atmos requests in its SOI is Commission approval of: (1) the rate schedules attached to its SOI to become effective for bills rendered on and after December 23, 2024; (2) the prudence of capital investment made between January 1, 2018 and September 30, 2024 and reported in its Interim Rate Adjustment filings; (3) new depreciation rates; and (4) a surcharge to recover its reasonable rate case expenses as well as any expenses the Commission orders to be reimbursed to other parties.

On December 17, 2024, the Commission suspended the effective date of Atmos's proposed rate change for 150 days, pursuant to Section 104.107 (Rate Suspension; Deadline) of the Gas Utility Regulatory Act ("GURA") of the Texas Utilities Code.

On December 18, 2024, all issues related to rate case expenses were severed into a separate proceeding and docketed as OS-24-00019819.

On January 30, 2025, the Administrative Law Judge ("ALJ") consolidated a petition for review filed by Atmos of municipal rate decisions docketed as OS-25-00019902.

Intervening Parties. Intervenors in this case include the Staff of the Railroad Commission of Texas, Atmos Texas Municipalities, the City of Dallas, and Walmart, Inc.

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 statement of intent to change rates.

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), 104.001 (Authorization to Establish and Regulate Rates), 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 ALJ shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code, 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 Tuesday, March 11, 2025**, in the William B Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services (Room 12-110) the morning of the hearing for the 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 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 (Proceedings by Telephony).

Written Transcript of the Hearing. The record of the hearing will be made by recording device or by stenographic transcription by the court reporter. Any party that desires a written transcription of the hearing should contact the court reporter at (512) 474-2233. 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 ALJ, 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.

Signed on February 10, 2025.

A handwritten signature in black ink, appearing to be 'B. Foley', with a stylized, flowing script.

BRENNAN J. FOLEY
ADMINISTRATIVE LAW JUDGE