

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

| | |
|---|-----------------------|
| In the Matter of Atmos Energy Corporation's) | |
| Tariff Revision Designed to Consolidate Rates) | |
| and Implement a General Rate Increase for) | Case No. GR-2006-0387 |
| Natural Gas Service in the Missouri Service) | |
| Area of the Company.) | |

**PUBLIC COUNSEL'S
MOTION FOR CLARIFICATION**

COMES NOW the Office of the Public Counsel ("OPC") and for its Motion for Clarification states:

1. On November 24, 2009, the Commission scheduled an on-the-record proceeding in its Order Scheduling On-the-Record Proceeding. The Order stated:

The parties shall be prepared to provide oral argument regarding the procedure to follow to address the Western District Court of Appeals' remand; including, but not limited to, addressing: (1) procedural timelines; (2) whether the record should be reopened and additional evidence adduced; and, (3) hypothetical scenarios regarding reversion to status quo rate design and effects on revenue requirement and rate classes; and the effects of consolidating the remanded matter with Atmos Energy Corporation's next general rate case.

2. Subsequently, and also on November 24, 2009, the Commission issued its Order Establishing Deadline to Identify Experts for the On-the-Record Proceeding. This Order addresses the possibility that parties may seek to tender expert witnesses during the on-the-record hearing, and directs parties to identify those experts by December 9, 2009.

3. One of the issues identified by the Commission for oral argument is "whether the record should be reopened and additional evidence adduced." The subsequent order appears to answer this question by referencing the possibility of

testimony evidence with no clear limitation on the scope of any such testimony. OPC requests that the Commission clarify the scope of the additional evidence sought by the Commission, and to limit the evidence accordingly. If the only evidence sought by the Commission during the on-the-record proceeding is evidence regarding “hypothetical scenarios regarding reversion to status quo rate design and effects on revenue requirement and rate classes,” which would be consistent with the scope of the oral argument, OPC asks that the Commission clarify its Order and explain any such limitation before December 9, 2009.

WHEREFORE, Public Counsel respectfully offers this Motion for Clarification.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Marc D. Poston

Marc D. Poston (#45722)

Deputy Public Counsel

P. O. Box 2230

Jefferson City MO 65102

(573) 751-5558

(573) 751-5562 FAX

marc.poston@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been sent via email on this 3rd day of December 2009.

General Counsel Office
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Thompson Kevin
Missouri Public Service
Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Kevin.Thompson@psc.mo.gov

Reid Scott
Noranda Aluminum, Inc.
135 East Main St.
P.O. 151
Fredericktown, MO 63645
reid-scott@sbcglobal.net

Walther C Douglas
Atmos Energy Corporation
Three Lincoln Centre, Ste. 1800
PO Box 650205
Dallas, TX 75265-0205
douglas.walther@atmosenergy.com

Fischer M James
Atmos Energy Corporation
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

Dority W Larry
Atmos Energy Corporation
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Woodsmall David
Hannibal Regional Hospital
428 E. Capitol Ave., Suite 300
Jefferson City, MO 65101
dwoodsmall@fcplaw.com

Conrad Stuart
Hannibal Regional Hospital
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

/s/ Marc D. Poston

Marc D. Poston