

**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 )  
Natural Gas Service in the Missouri Service )  
Area of the Company. )

Case No. GR-2006-0387

**PUBLIC COUNSEL'S REPLY TO THE JOINT SUGGESTION  
OF ATMOS ENERGY CORPORATION AND THE STAFF**

COMES NOW the Office of the Public Counsel ("Public Counsel") and for its reply to the Joint Response of the Staff and Atmos regarding the Commission's procedure on remand states:

1. Atmos Energy Corporation ("Atmos") and the Commission's Staff suggest that the Commission address the remand issues in Atmos's next rate case, which has not been filed. Public Counsel opposes this procedure because it would effectively ignore the remand and allow Atmos to continue operating for another year under a rate design and a district consolidation that has not been properly found to be just and reasonable.

2. The procedure proposed by Atmos and the Staff would violate Public Counsel's right to due process. It would also violate Public Counsel's rights to appeal decisions of the Commission under Section 386.540 RSMo 2000 by proceeding as if the Opinion of the Western District did not exist.

3. These remanded issues must be dealt with immediately to provide ratepayers with the proper assurances that they are not being charged rates that are unjust and unreasonable.

WHEREFORE, Public Counsel respectfully offers this reply to the procedural suggestion of Atmos and the Staff.

**Respectfully submitted,**

OFFICE OF THE PUBLIC COUNSEL

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been sent via email on this 9<sup>th</sup> day of November 2009.

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