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VIA EMAIL AND FACSIMILE (W/O ENCLOSURE)

Mr. Doug Micheel
Office of the Public Counsel
200 Madison Street
P.O. Box 7800
Jefferson City, Missouri 65102

RE: In the Matter of the Application of United Cities Gas Company, a division of Atmos Energy Corporation, for an Accounting Authority Order Related to Investigation and Response Actions Associated with Its Former Manufactured Gas Plant Site in Hannibal, Missouri, Case No. GA-98-464.

Dear Mr. Micheel:

On Friday, August 9, 2002, I found in my mailbox at the Data Center a hard copy of your August 5, 2002 cover letter transmitting **One-Thousand-Three-Hundred-Twenty (1,320) Data Requests** issued by you and Mr. Ted Robertson in the above-referenced case. In addition to the 140 pages of data requests and transmittal letter, I also received a disk that included an electronic version of the attached data requests.

Pursuant to 4 CSR 240-2.090, the purpose of this letter is to express the strong objections of my client to the burdensome nature of these requests. In fact, we are unaware of any Accounting Authority Order proceeding in which the Public Counsel, the Commission Staff or any other party has proceeded to request the volume of information being requested by your office in this matter. As you will note below, my client believes that the vast majority of the DRs are totally irrelevant to this proceeding, and would be extremely burdensome to produce. In any event, it would be impossible to respond to 1,320 Data Requests within twenty days of receipt, as you have requested.

It appears that the Data Requests include approximately 5 data requests related to the Hannibal Manufactured Gas Plant environmental remediation project which is the subject of the Company's Application. These include the following:

44. Please provide a reconciliation of all Hannibal former manufactured gas plant "FMGP" remediation costs incurred during calendar year 1998. Include a description of each cost and its purpose, the vendor name if applicable, a breakdown of employee costs if applicable, the cost amounts, copies of all

invoices, payment vouchers, journal entries, the period each cost was booked and the USOA account/sub-account to which each cost was booked.

45. Please provide copies of all correspondence between United Cities Gas Company and the MoDNR and the EPA regarding the Hannibal FMGP during calendar year 1998.

46. Please provide copies of all correspondence between United Cities Gas Company and remediation vendors regarding the Hannibal FMGP during calendar year 1998.

47. Please provide copies of all correspondence between United Cities Gas Company and other PRP's regarding the Hannibal FMGP during calendar year 1998.

48. Please provide copies of all correspondence between United Cities Gas Company and its inside and outside legal staff regarding the Hannibal FMGP during calendar year 1998.

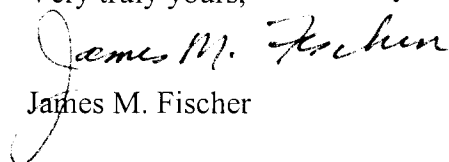
In Data Request Nos. 187-191, 327-331, 467-471, 1101-1105, you request identical information as requested in the above-quoted Data Requests for the years 1999, 2000, 2001, and 2002, respectively. My client believes these 5 data requests are relevant to this proceeding and will answer within the prescribed time, with the exception of DR Nos. 48, 191, 331, 471, and 1105 which request privileged communications between United Cities and its legal counsel.

However, with the exception of Data Request Nos. 44-47, 187-190, 467-470, and 1101-1104, the remainder of the 1,320 Data Requests request information which is not relevant to this proceeding, is not designed to lead to admissible evidence, would be extremely burdensome to produce, may contain privileged information, and is otherwise objectionable under the Commission's discovery rules.

Unless you are willing to immediately withdraw Data Requests Nos. 1-43, 48-186, 191-326, 331-466, 471-1100, 1105-1320, inclusive, I hereby request the opportunity to confer by telephone, and then schedule a meeting with the Regulatory Law Judge, pursuant to 4 CSR 240-2.090(8). Since I am not optimistic that we will be able to resolve this matter without the intervention of Regulatory Law Judge Ruth, I am providing her with a copy of this correspondence.

Thank you for your immediate attention to this matter.

Very truly yours,


James M. Fischer

Enclosure

electronic copies with attachment to:

John Coffman
Denny Frey
Regulatory Law Judge Vicky Ruth
Case File—GA-98-464