

**FISCHER & DORITY**  
PROFESSIONAL CORPORATION

**FILE COPY**

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February 5, 2001

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

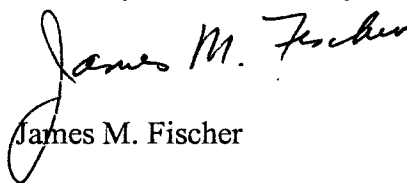
RE: *In the Matter of the Application of United Cities Gas Company, a division of Atmos Energy Corporation, for an Accounting Authority Order Related to Investigation and Response Actions Associated with Its Former Manufactured Gas Plant Site in Hannibal, Missouri, Case No. GA-98-464.*

Dear Mr. Roberts:

Enclosed are the original and eight (8) copies of the Motion for Modification of Accounting Authority Order of United Cities Gas Company, a division of Atmos Energy Corporation, for filing in the above-referenced matter. A copy of the foregoing Motion has been hand-delivered or mailed this date to parties of record.

Thank you for your attention to this matter.

Sincerely,

  
James M. Fischer

/jr  
Enclosures

cc: Office of the Public Counsel

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BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

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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.

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Case No. GA-98-464

**MOTION FOR MODIFICATION OF ACCOUNTING AUTHORITY ORDER**

COMES NOW United Cities Gas Company, a division of Atmos Energy Corporation (hereinafter "United Cities") and, pursuant to 4 CSR 240-2.080, for its Motion For Modification of Accounting Authority Order ("AAO") issued on February 25, 1999, states to the Missouri Public Service Commission ("Commission"):

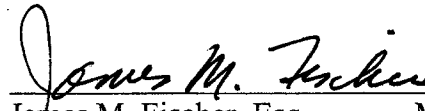
1. On February 25, 1999, the Commission granted United Cities' Application For Accounting Authority Order in this proceeding. The effective date of the Accounting Authority Order was March 9, 1998. The Commission ordered that "the accounting authority order will apply to costs incurred or payments received between March 31, 1998, and the effective date of the rates established in United Cities' next general rate case or the beginning of any subsequent accounting authority order granted for the same costs, whichever is earlier." (Accounting Authority Order, p. 3)
- 3) The Commission also indicated that the AAO would become "null and void in the event that United Cities does not file tariff sheets proposing a general increase in rates within twenty-four (24) months from the effective date of this order." (Id. at 4). As a result, absent United Cities initiating a general rate case, the AAO will become null and void on March 9, 2001, unless the Commission modifies its order, or in the alternative, grants United Cities a subsequent accounting authority order for the same costs.

2: Although United Cities has been actively evaluating the possibility of filing a general rate case in the near future, United Cities does not believe that it would be desirable to file a general rate case by March 9, 2001. However, if a general rate case is not filed by March 9, 2001, United Cities will be required to write-off the costs (i.e. approximately \$377,000) that already have been deferred, pursuant to the Commission's AAO in this proceeding, unless the accounting authority order is modified. In addition, United Cities expects to spend an additional \$123,000 over the next twelve (12) months to continue the costs of investigation, assessment and environmental response actions at the Hannibal Manufactured Gas Plant ("Hannibal MGP").

3. Under the circumstances, United Cities' believes that a more desirable alternative would be to modify the AAO in this proceeding by extending the date that the AAO would become null and void from March 9, 2001, to **March 9, 2002**, unless a general rate case is filed before that date. This modification of the Commission's February 25, 1999, AAO would permit United Cities' to continue to defer the costs of the investigation, assessment and environmental response actions at the Hannibal MGP, until they can be reviewed in the next general rate case.

**WHEREFORE**, for the reasons stated herein, United Cities respectfully requests the Commission to issue its Order Modifying the Accounting Authority Order issued on February 25, 1999, by extending the date that the AAO would become null and void from March 9, 2001 to **March 9, 2002**, unless a general rate case is filed, or in the alternative, issue a subsequent accounting authority order to authorize United Cities to defer in Account 182.3 all costs incurred in connection with the investigation, assessment and environmental response actions at the Hannibal MGP.

Respectfully submitted,



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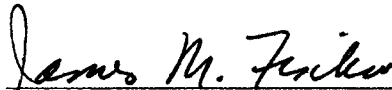
ATTORNEY FOR  
UNITED CITIES GAS COMPANY,  
a division of ATMOS ENERGY CORPORATION

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 5<sup>th</sup> day of February, 2001, to:

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102



James M. Fischer