

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

In the Matter of Atmos Energy Corporation's)	
Tariff Revision Designed to Implement a General)	
Rate Increase for Natural Gas Service in the)	Case No. GR-2010-0192
Missouri Service Area of the Company)	

**RESPONSE TO ATMOS ENERGY CORPORATIONS'S OBJECTION TO
MOTION TO FILE APPLICATION OF IBEW LOCAL 1439
TO INTERVENE OUT OF TIME**

COMES NOW International Brotherhood of Electrical Workers Local 1439 ("Local 1439"), by counsel, in response to Atmos Energy Corporation's ("Atmos") objection to its motion to file its application to intervene in this proceeding out of time, and states:

1. Local 1439 does have good cause for requesting intervention after the deadline. As Local 1439 stated in its motion, it was not involved in prior Atmos rate hearings and, therefore, was not on the automatic service list. Local 1439 has not previously felt a need to intervene in Atmos rate proceedings. However, in the course of contract negotiations between Local 1439 and Atmos, the employer has — **within the last few weeks** — taken the position that its employees represented by Local 1439 need to take an 12% pay cut. Atmos **yesterday** notified Local 1439 that one of the reasons for its insistence on an 12% pay cut is that its current rate of return within the State of Missouri is negative 1.26%. Atmos has presumably had this information for some time; it should not be permitted to hide behind a deadline when it changed the circumstances on the union after the deadline passed!

2. Significantly, in its objection, Atmos did not dispute that it would in no way be prejudiced by permitting Local 1439 to intervene at this date.

WHEREFORE, IBEW Local 1439 respectfully requests the Commission for permission to file out of time its application for intervention.

Respectfully submitted,

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this April 21, 2010.

/s/ Sherrie A. Schroder