

**BEFORE THE
RAILROAD COMMISSION OF TEXAS**

APPLICATION OF ATMOS PIPELINE - TEXAS FOR 2012 TEST YEAR ANNUAL INTERIM RATE ADJUSTMENT FILING	§ § § §	GAS UTILITIES DOCKET NO. 10240
---	------------------	---

INTERIM RATE ADJUSTMENT ORDER

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time period provided by law pursuant to TEX. GOV'T CODE ANN. Chapter 551 (Vernon 2010). The Railroad Commission of Texas adopts the following findings of fact and conclusions of law and orders as follows:

FINDINGS OF FACT

Background

1. Atmos Energy Corporation (Atmos) is a "gas utility," as that term is defined in the TEXAS UTILITY CODE, and is subject to the jurisdiction of the Railroad Commission of Texas (Commission).
2. Atmos Pipeline - Texas (Atmos PT), a division of Atmos, owns and operates a gas pipeline transportation system.
3. On February 15, 2013, Atmos PT filed an application for an annual interim rate adjustment (IRA) applicable to customers located on Atmos PT's system.
4. Atmos PT requested that the IRA for all customer classes become effective on April 16, 2013.
5. On February 15, 2013, the Commission suspended implementation of Atmos PT's proposed IRA until May 31, 2013, which is 45 days following the 60th day after the application.
6. Neither TEXAS UTILITIES CODE, §104.301 nor 16 TEX. ADMIN. CODE, §7.7101 provide the opportunity for parties to intervene in the Commission's review of an application for an annual IRA.
7. 16 TEX. ADMIN. CODE, §7.7101 allows written comments or a protest, concerning the proposed IRA, to be filed with the Gas Services Division.

8. No letters of protests have been received as of the date of this order.
9. This docket represents the third annual IRA for Atmos PT since GUD No. 10000.
10. GUD No. 10078 was the first annual IRA and GUD No. 10144 was the second annual IRA for Atmos PT since GUD No. 10000.
11. Until promulgation of TEXAS UTILITIES CODE, §104.301, a utility could not increase its rates subject to the Commission's jurisdiction without filing with the Commission a formal statement of intent rate case, including a comprehensive cost of service rate review.
12. The proposed IRA will allow Atmos PT an opportunity to recover, subject to refund, a return on investment, depreciation expense, and related taxes on the incremental cost of infrastructure investment since its last rate case, without the necessity of filing a statement of intent rate case and without review by the Commission of Atmos PT's comprehensive cost of service.

Applicability

13. This docket applies to only those rates over which the Commission has original jurisdiction, which includes the entire Atmos PT system.
14. Negotiated rate customers are not allocated any of the interim rate adjustment amount.

Most Recent Comprehensive Rate Case

15. Atmos PT's most recent rate case for the area in which the IRA will be implemented is GUD No. 10000, *Statement of Intent to Change the Rate CGS and Rate PT Rates of Atmos Pipeline - Texas*.
16. GUD No. 10000 was filed on September 17, 2010.
17. The data used in GUD No. 10000 was based on a test-year ending March 31, 2010.
18. The Commission signed the GUD No. 10000 Final Order on April 18, 2011 and the rates became effective the same day.
19. A Nunc Pro Tunc Order was signed on June 27, 2011. Motions for rehearing were denied on June 27, 2011.
20. The following chart shows the factors that were established in GUD No. 10000 to calculate the return on investment, depreciation expense, and incremental federal income taxes for Atmos PT:

Rate of Return	9.362%
Depreciation Rate	2.536%
Depreciation Rate - SSU	9.067%
Federal Income Tax Rate	35%

21. The following chart shows the allocation factors that were established in GUD No. 10000 to allocate the interim rate adjustment amount to the customer classes:

Customer Class	Allocation Factor
Rate CGS (City Gate Service)	0.975869
Rate PT (Pipeline Transportation)	0.024131

Interim Rate Adjustment

22. Atmos PT seeks approval from the Commission for an adjustment to its revenue, based on incremental net utility plant investment, with regard to the following components: return on investment; depreciation expense; ad valorem taxes; revenue related taxes; and federal income taxes as shown in Exhibit B.
23. The revenue amounts to be recovered through the proposed annual IRA for Atmos PT are incremental to the revenue requirement established in the most recent rate case for Atmos PT for the area in which the IRA is to be implemented, GUD No. 10000, as adjusted.
24. Atmos PT calculated and presented all incremental values for investment, accumulated depreciation, return on investment, depreciation expense, ad valorem taxes, and incremental federal income taxes for the twelve-months ended December 31, 2012. Revenue related taxes are not included in Atmos PT's calculation of the IRA. An existing rate schedule that was established by the final Order in GUD No. 10000 is applied to all revenues, including revenues that result from an IRA.
25. For the first IRA following a rate case, the amounts by which Atmos PT may adjust its rates are based on the difference between Atmos PT's invested capital at the end of the most recent rate case test-year (March 31, 2010) and the invested capital at the end of the calendar-year following the end of the most recent rate case test-year (December 31, 2010).
26. Each IRA following the first IRA, is based on the difference between Atmos PT's invested capital at the end of the calendar test-year (December 31, 2011) determined in the previous IRA filing and the invested capital at the end of the subsequent calendar-year (December 31, 2012).
27. The value of Atmos PT's invested capital is equal to the original cost of the investment at the time the investment was first dedicated to public use minus the accumulated depreciation related to that investment.

28. Atmos PT is required to use the same factors to calculate the interim return on investment, depreciation expense, and incremental federal income tax as those established or used in the final order setting rates for Atmos PT in the most recent rate case for the area in which the IRA is to be implemented.
29. Atmos PT filed the Commission's Annual Earnings Monitoring Report (EMR) as required by 16 TEXAS ADMINISTRATIVE CODE §7.7101 (2010). The Company's actual rate of return is 9.814%, which is less than 75 basis points in excess of the 9.362% allowed rate of return established in **GUD No. 10000**.
30. Subsequent to filing the IRA in this docket, Atmos PT has additionally entered a further downward adjustment of \$ 35,282, removing costs for assets retired under Project No. 180.21221 from the original request filed on February 15, 2013.
31. It is reasonable that Atmos PT remove the retirement costs under Project No. 180.21221, as the amount retired properly reflects the period in which the retirement took place.
32. Atmos PT filed its Annual Project Report as required by 16 TEXAS ADMINISTRATIVE CODE §7.7101 (2010).
 1. Gross Pipeline Additions totaled \$ 199,984,555.
 2. Pipeline Retirements totaled \$ 36,224,003.
 3. Gross SSU Additions totaled \$ 1,786,593.
 4. SSU Retirements totaled \$ 254,042.
33. Atmos PT Net Utility Plant Investment is calculated on the following as required by 16 TEXAS ADMINISTRATIVE CODE §7.7101 (2010).
 1. Net change in Atmos PT Utility Plant Investment - \$ 156,439,577.
 2. Net change in Atmos PT Accumulated Depreciation - \$ 5,595,635.
 3. Net change in allocated Atmos SSU Utility Plant Investment - \$ 1,532,550.
 4. Net change in allocated Atmos SSU Accumulated Depreciation - \$ 3,100,592.
 5. Net change in Utility Plant Investment -\$ 163,760,552.
 6. Safety-related improvements/infrastructure projects totaled \$ 67,125,627, or 33.3% of total additions.¹
 7. Integrity testing projects totaled \$ 19,491,518, or 9.7% of total additions.²
34. Atmos PT is required to allocate the revenue to be collected through the IRA among its customer classes in the same manner as the cost of service was allocated among its customer classes in its most recent rate case for the area in which the IRA is to be implemented.
35. Atmos PT proposed the IRA as a flat rate to be applied to the monthly Capacity Charge per Maximum Daily Quantity (MDQ) rather than to the usage rate.

1 Response to Staff's RFI #1-03.

2 Response to Staff's RFI #1-04.

36. Atmos PT is required to show its annual IRA on its customers' monthly billing statements as a surcharge.
37. The proposed IRA does not require an evidentiary proceeding; rather, TEXAS UTILITIES CODE, §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE, §7.7101 (2010) require the regulatory authority to review a utility's method of calculating the IRA.
38. Due process protections are deferred until Atmos PT files its next full statement of intent rate case.

Notice

39. The Company provided adequate notice to Atmos PT's City Gate Service (CGS) customers on February 25, 2013.
40. The Company provided adequate notice to Atmos PT's Pipeline Transportation (PT) customers on February 25, 2013.

Comprehensive Rate Case Required

41. The Company is not required to initiate a rate case supporting a statement of intent, at the time it applies for an IRA.
42. Under 16 TEX. ADMIN. CODE, §7.7101 (I) (2010) a gas utility that implements an IRA and does not file a rate case before the fifth anniversary of the date its initial IRA became effective is required to file a rate case not later than the 180th day after that anniversary. Atmos PT is required to file a statement of intent rate case not later than January 23, 2017.

Review of Interim Rate Adjustment

43. Atmos PT presented its IRA calculation using the factors approved in GUD No. 10000 for rate of return, depreciation, and federal income tax, but using a property-related taxes (Ad Valorem) percentage of 1.758% based on the estimated 2012 taxes paid by the Company.¹
44. Atmos PT's IRA, as adjusted, is \$ 26,729,625 based on an incremental net utility plant investment increase of \$ 156,439,577 using the property-related taxes (Ad Valorem) percentage of 1.758% based on the estimated 2012 taxes paid by the Atmos PT.

1. 16 TEX. ADMIN. CODE §7.7101(f)(5) only refers to the return on investment, depreciation expense, and incremental federal income tax factors from the most recent rate case to calculate the IRA. The Ad Valorem taxes are not specifically designated as a factor that must remain constant. In Atmos' last statement of intent rate case (GUD No. 10000), Ad Valorem taxes were reconciled between the estimate used in the IRAs and actual Ad Valorem taxes paid.

45. Atmos PT's proposed allocation methodology complies with TEXAS UTILITIES CODE, §104.301 (Vernon 2010), and with 16 TEX. ADMIN. CODE, §7.7101 (2010).
46. Atmos PT's proposed 2012 Year-ended Maximum Daily Quantity (MDQ) complies with TEXAS UTILITIES CODE, §104.301 (Vernon 2010), and with 16 TEX. ADMIN. CODE, §7.7101 (2010).
47. For calculating the change in the Capacity Charge per year, it is reasonable for the Commission to approve use of Atmos PT's 2012 Year-ended Maximum Daily Quantity (MDQ) times 12. The following total Maximum Daily Quantity (MDQ) used in the calculation of the IRA are reasonable:

Customer Class	Total Maximum Daily Quantity (MDQ)
Rate CGS (City Gate Service)	30,664,332
Rate PT (Pipeline Transportation)	1,728,732

48. The resulting interim rate adjustment for Rate CGS (City Gate Service) and Rate PT (Pipeline Transportation) is shown in Exhibit A and as follows:

Rate Schedule	Capacity Charge Per MDQ GUD No. 10000	2010 IRA GUD No. 10078	2011 IRA GUD No. 10144	2012 IRA GUD No. 10240	2012 Capacity Charge Per MDQ
Rate CGS – Mid-Tex ¹	\$ 4.5278	\$ 0.4036	\$ 0.4691	\$ 0.8507	\$ 6.2512
Rate CGS – Other ²	\$ 3.7144	\$ 0.4036	\$ 0.4691	\$ 0.8507	\$ 5.4378
Rate PT ³	\$ 2.3556	\$ 0.2454	\$ 0.2513	\$ 0.3731	\$ 3.2254

Reimbursements of Expense

49. As provided for in the statute and the rule, a gas utility that implements an IRA is required to reimburse the Commission for the utility's proportionate share of the Commission's annual costs related to the administration of the IRA mechanism.

¹ Included in the Capacity Charge Per MDQ for CGS – Mid-Tex is the annual Rider REV adjustment of \$ (0.0881) per MDQ and the Capacity Charge related to Mid-Tex working gas in storage of \$ 0.8134 per MDQ.

² Included in the Capacity Charge Per MDQ for CGS – Other is the annual Rider REV adjustment of \$ (0.0881) per MDQ. There is no working gas in storage fee for CGS – Other.

³ Included in the Capacity Charge Per MDQ for PT is the annual Rider REV adjustment of \$ (0.0495) per MDQ. There is no working gas in storage fee for PT.

50. After the Commission has made final action on Atmos PT's application for an IRA, the Director of the Gas Services Division will estimate Atmos PT's proportionate share of the Commission's annual costs related to the processing of such applications.
51. In making the estimate of Atmos PT's proportionate share of the Commission's annual costs related to the processing of such applications, the Director will take into account the number of utilities the Commission reasonably expects to file for IRAs during the fiscal year, and the costs expected to be incurred in processing such applications.
52. Atmos PT is required to reimburse the Commission for the amount determined by the Director of the Gas Services Division, within thirty days after receipt of notice of the amount of the reimbursement.

CONCLUSIONS OF LAW

1. Atmos Energy Corporation (Atmos) is a "gas utility" as defined in TEX. UTIL. CODE ANN. §101.003(7) (Vernon 2010) and §121.001 (Vernon 2010), and is therefore subject to the jurisdiction of the Railroad Commission of Texas (Commission).
2. The Commission has jurisdiction over Atmos, Atmos PT's applications for IRAs for incremental changes in investment, and the subject matter of this case under TEX. UTIL. CODE ANN. §102.001, §104.001, §104.002, and §104.301 (Vernon 2010).
3. Under TEX. UTIL. CODE ANN. §102.001 (Vernon 2010), the Commission has exclusive original jurisdiction over the rates and services of a gas utility that distributes natural gas in areas outside of a municipality and over the rates and services of a gas utility that transmits, transports, delivers, or sells natural gas to a gas utility that distributes the gas to the public.
4. Under the provisions of the TEXAS UTILITIES CODE ANN. §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE § 7.7101 (2010), Atmos PT is required to seek Commission approval before implementing an IRA tariff to Atmos PT's customers.
5. Atmos PT filed its application for an IRA for changes in investment in accordance with the provisions of TEX. UTIL. CODE ANN. §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101 (2010).
6. Atmos PT's application for an IRA was processed in accordance with the requirements of TEX. UTIL. CODE ANN. §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101 (2010).
7. In accordance with 16 TEX. ADMIN. CODE §7.315 (2010), within thirty days of the effective date of any change to rates or services, Atmos PT is required to file with the Gas Services Division of the Commission its revised tariffs.

8. Atmos PT may not charge any rate that has not been successfully filed and accepted as a tariff filing electronically pursuant to TEX. UTIL. CODE ANN. §102.151 and 104.002 (Vernon 2010) and 16 TEX. ADMIN. CODE §7.315 (2010).
9. In accordance with TEX. UTIL. CODE ANN. §104.301(a) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(a) (2010), the filing date of Atmos PT's most recent rate case, in which there is a final order setting rates for the area in which the IRA will apply, was no more than two years prior to the date Atmos PT filed its initial IRA.
10. Atmos PT is required, under TEX. UTIL. CODE ANN. §104.301(e) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(d) (2010), to file with the Commission an annual project report, including the cost, need, and customers benefited by the change in investment, and describing the investment projects completed and placed in service during the preceding calendar year and the investments retired or abandoned during the preceding calendar year.
11. Atmos PT shall include in all future annual IRA filings, relocation project reports that provide additional information about relocation project costs included in investment projects, in the same format as required in this docket.
12. Atmos PT is required, under TEX. UTIL. CODE ANN. §104.301(f) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(e) (2010), to file with the Commission an annual earnings-monitoring report demonstrating Atmos PT's earnings during the preceding calendar year.
13. Atmos PT is required, under 16 TEX. ADMIN. CODE §7.7101(h) (2010), to recalculate its approved IRA annually and is required to file an application for an annual adjustment no later than 60 days prior to the one-year anniversary of the proposed implementation date of the previous IRA application.
14. In accordance with 16 TEX. ADMIN. CODE §7.7101(i) (2010), all amounts collected from customers under Atmos PT's IRA tariffs or rate schedules are subject to refund. The issues of refund amounts, if any, and whether interest should be included on refunded amounts and, if so, the rate of interest, shall be addressed in the rate case a gas utility files or the Commission initiates after the implementation of an IRA and shall be the subjects of specific findings of fact in the Commission's final order setting rates.
15. In accordance with 16 TEX. ADMIN. CODE §7.7101(j) (2010), in the rate case that Atmos PT files or the Commission initiates after the implementation of an IRA, any change in investment and related expenses and revenues that have been included in any IRA shall be fully subject to review for reasonableness and prudence. Upon issuance of a final order setting rates in the rate case that Atmos PT files or the Commission initiates after the implementation of an IRA, any change in investment and related expenses and revenues that have been included in any IRA shall no longer be subject to review for reasonableness or prudence.

16. The Commission has authority to suspend the implementation of the IRA, under TEX. UTIL. CODE ANN. §104.301(a) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(e) (2010).
17. Atmos PT provided adequate notice, in accordance with TEX. UTIL. CODE ANN. §104.301(a) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(b) (2010).
18. Atmos PT's application for an IRA, as proposed, complies with all provisions of TEX. UTIL. CODE ANN. §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101 (2010).
19. Atmos PT's IRA set forth in the findings of fact and conclusions of law in this Order comply with the provisions of TEX. UTIL. CODE ANN. §104.301 (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101 (2010).
20. In accordance with TEX. UTIL. CODE ANN. §104.301(h) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(l) (2010), Atmos PT shall file a comprehensive rate case for the areas in which the IRA is implemented, no later than the 180th day after the fifth anniversary of the date its initial IRA became effective.
21. The Commission has authority, under TEX. UTIL. CODE ANN. §104.301(j) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(m) (2010), to recover from Atmos PT the proportionate share of the Commission's annual costs related to the administration of the IRA mechanism.

IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSION OF TEXAS THAT Atmos PT's IRA, as adjusted, and to the extent recommended to be approved in the findings of fact and conclusions of law, are **HEREBY APPROVED**, subject to refund, to be effective for bills rendered on or after the date of this order.

IT IS FURTHER ORDERED THAT Atmos PT **SHALL** file with the Commission no later than January 23, 2017, a statement of intent to change rates as required under TEX. UTIL. CODE ANN. §104.301(h) (Vernon 2010) and 16 TEX. ADMIN. CODE §7.7101(l) (2010).

IT IS FURTHER ORDERED THAT within 30 days of this order Atmos PT **SHALL** electronically file its IRA tariffs, Exhibit A, in proper form that accurately reflect the rates approved by the Commission in this Order.

IT IS FURTHER ORDERED THAT Atmos PT **SHALL** not charge any rate that has not been electronically filed and accepted by the Commission as a tariff.

IT IS FURTHER ORDERED THAT Atmos PT **SHALL** reimburse the expenses incurred by the Commission in reviewing this application. The amount of this reimbursement shall be determined by the Director of the Gas Services Division. This Order will not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective

until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE §2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the order is served on the parties.

Any portion of Atmos PT's application not expressly granted herein is overruled. All requested findings of fact and conclusions of law, which are not expressly adopted herein, are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

SIGNED this 7th day of May, 2013.

RAILROAD COMMISSION OF TEXAS

Barry T. Smitherman

BARRY T. SMITHERMAN
CHAIRMAN

David Porter

DAVID PORTER
COMMISSIONER

Christi Craddick

CHRISTI CRADDICK
COMMISSIONER

ATTEST

Kathy Way
SECRETARY

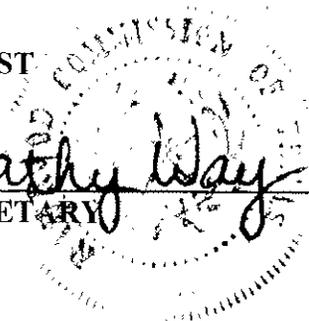


EXHIBIT A

TARIFFS

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	CGS – MID-TEX	
APPLICABLE TO:	Mid-Tex	
EFFECTIVE DATE:		

Application

Applicable, in the event that Company has entered into a Transportation Agreement for City Gate Service to a Local Distribution Company (Customer) connected to the Atmos Pipeline -Texas System for the transportation of all natural gas supplied by Customer to a Point or Points of Delivery.

Type of Service

This service provides firm transportation and storage service to Local Distribution Companies. Where service of the quantity and type required by Customer is not already available at a Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished at such Point of Delivery.

Monthly Rate

Customer's monthly bill will be calculated by adding the Monthly Customer and Usage charges to the amounts and quantities due under the Riders listed below. The Monthly Customer Charge each month will be equal to the Capacity Charge, as adjusted, multiplied by the Customer's Maximum Daily Quantity (MDQ) as set forth in the Transportation Agreement between Customer and Company. Total Usage Charges each month will be equal to the Usage Charge multiplied by the volume of gas delivered to Customer by Company during such month:

Charge	Amount
Capacity	\$ 3.6263 per MMBtu of MDQ ¹
Capacity Charge related to Mid-Tex Working Gas	\$ 0.8134 per MMBtu of MDQ
Annual Rider REV Adjustment	\$ 0.0881 per MMBtu of MDQ
Interim Rate Adjustment ("IRA")	\$ 1.7234 per MMBtu of MDQ ²
Total Capacity Charge	\$ 6.2512 per MMBtu of MDQ
Usage	\$ 0.0276 per MMBtu

Rider RA: Plus a quantity of gas as calculated in accordance with Rider RA.

Rider TAX: Plus an amount for tax calculated in accordance with Rider TAX.

Rider SUR: Plus an amount for surcharges calculated in accordance with Rider SUR.

Rider REV: Plus an amount per MMBtu in accordance with Rider REV as an adjustment to the Capacity Charge per MMBtu of MDQ.

Rider WGIS: Plus an amount per MMBtu in accordance with Rider WGIS as an adjustment to the Capacity Charge per MMBtu of MDQ.

¹ The Capacity Charge per MMBtu will be adjusted annually as calculated pursuant to Rider REV.
² 2010 IRA - \$0.4036, 2011 IRA - \$0.4691, 2012 IRA - \$0.8507.

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	CGS – MID-TEX	
APPLICABLE TO:	Mid-Tex	
EFFECTIVE DATE:		

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for service provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate CGS, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	CGS – OTHER	
APPLICABLE TO:	CoServ, West Texas Gas, the City of Rising Star, the City of Navasota and Other City Gate Service Customers, except Mid-Tex	
EFFECTIVE DATE:		

Application

Applicable, in the event that Company has entered into a Transportation Agreement for City Gate Service to a Local Distribution Company (Customer), other than Mid-Tex, connected to the Atmos Pipeline -Texas System for the transportation of all natural gas supplied by Customer to a Point or Points of Delivery.

Type of Service

This service provides firm transportation and storage service to Local Distribution Companies. Where service of the quantity and type required by Customer is not already available at a Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished at such Point of Delivery.

Monthly Rate

Customer's monthly bill will be calculated by adding the Monthly Customer and Usage charges to the amounts and quantities due under the Riders listed below. The Monthly Customer Charge each month will be equal to the Capacity Charge, as adjusted, multiplied by the Customer's Maximum Daily Quantity (MDQ) as set forth in the Transportation Agreement between Customer and Company. Total Usage Charges each month will be equal to the Usage Charge multiplied by the volume of gas delivered to Customer by Company during such month:

Charge	Amount
Capacity	\$ 3.6263 per MMBtu of MDQ ¹
Annual Rider REV Adjustment	\$ 0.0881 per MMBtu of MDQ
Interim Rate Adjustment ("IRA")	\$ 1.7234 per MMBtu of MDQ ²
Total Capacity Charge	\$ 5.4378 per MMBtu of MDQ
Usage	\$ 0.0276 per MMBtu

Rider RA: Plus a quantity of gas as calculated in accordance with Rider RA.

Rider TAX: Plus an amount for tax calculated in accordance with Rider TAX.

Rider SUR: Plus an amount for surcharges calculated in accordance with Rider SUR.

Rider REV: Plus an amount per MMBtu in accordance with Rider REV as an adjustment to the Capacity Charge per MMBtu of MDQ.

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

¹ The Capacity Charge per MMBtu will be adjusted annually as calculated pursuant to Rider REV.
² 2010 IRA - \$0.4036, 2011 IRA - \$0.4691, 2012 IRA - \$0.8507.

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	CGS – OTHER
APPLICABLE TO:	CoServ, West Texas Gas, the City of Rising Star, the City of Navasota and Other City Gate Service Customers, except Mid-Tex
EFFECTIVE DATE:	

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for service provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate CGS, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	PT - PIPELINE TRANSPORTATION	
APPLICABLE TO:	Entire System	
EFFECTIVE DATE:		

Applicability

This rate schedule is applicable to service by the Company under a Transportation Agreement - Pipeline, to a customer directly connected to the Atmos Pipeline-Texas System for the transportation of all natural gas supplied by Customer or Customer's agent for delivery to Customer at one Point of Delivery.

Not applicable for service to City Gate Service customers.

Type of Service

This service provides interruptible transportation service to end use customers. Where service of the quantity and type desired by Customer is not already available at a Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished at such Point of Delivery.

Monthly Rate

Customer's monthly bill will be calculated by adding the Monthly Customer and Usage charges to the amounts and quantities due under the Riders listed below. The Monthly Customer Charge each month will be equal to the Capacity Charge, as adjusted, multiplied by the Customer's Maximum Daily Quantity (MDQ) as set forth in the Transportation Agreement between Customer and Company. Total Usage Charges each month will be equal to the Usage Charge multiplied by the volume of gas delivered to Customer by Company during such month:

Charge	Amount
Capacity	\$ 2.3061 per MMBtu of MDQ ¹
Annual Rider REV Adjustment	\$ 0.0495 per MMBtu of MDQ
Interim Rate Adjustment ("IRA")	\$ 0.8698 per MMBtu of MDQ ²
Total Capacity Charge	\$ 3.2254 per MMBtu of MDQ
Usage	\$ 0.0163 per MMBtu

Rider RA: Plus a quantity of gas as calculated in accordance with Rider RA.

Rider TAX: Plus an amount for tax calculated in accordance with Rider TAX.

Rider MF: Plus an amount for municipal fees calculated in accordance with Rider MF.

Rider SUR: Plus an amount for surcharges calculated in accordance with Rider SUR.

¹ The Capacity Charge per MMBtu will be adjusted annually as calculated pursuant to Rider REV.
² 2010 IRA - \$0.2454, 2011 IRA - \$0.2513, 2012 IRA - \$0.3731.

**ATMOS PIPELINE-TEXAS
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	PT - PIPELINE TRANSPORTATION	
APPLICABLE TO:	Entire System	
EFFECTIVE DATE:		

Rider REV: Plus an amount per MMBtu in accordance with Rider REV as an adjustment to the Capacity Charge per MMBtu of MDQ.

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

Curtailement Overpull Fee

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

MDQ Adjustment

If a Customer's daily usage on any day exceeds the Customer's MDQ as set forth in the applicable Transportation Agreement by 10% or more, the Customer's MDQ shall be increased to equal such daily usage. The effective date of such increase in the MDQ shall be the first day of the calendar month that begins following the day on which the Customer's daily usage exceeded the Customer's MDQ.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for service provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate PT, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

EXHIBIT B
SCHEDULES

**ATMOS PIPELINE - TEXAS
INTERIM COST RECOVERY AND RATE ADJUSTMENT REPORT
AS OF DECEMBER 31, 2012**

Change to Capacity Charge Per MDQ for 2012 Interim Rate Adjustment (1)

Line No.	Rate Class (a)	Capacity Charge Per MDQ per GUD 10000 (b)	Interim Cost Recovery Adjustment to Capacity Charge (2) (c)	Proposed Capacity Charge (d)
1	Rate Schedule CGS - Mid-Tex (3)	\$ 5.4005	\$ 0.8507	\$ 6.2512
2				
3	Rate Schedule CGS - Other (4)	\$ 4.5871	\$ 0.8507	\$ 5.4378
4				
5	Rate Schedule PT (5)	\$ 2.8523	\$ 0.3731	\$ 3.2254
6				
7				

8 Notes:

- 9 1. The capacity charge times each customer's MDQ equals the monthly customer capacity charge.
- 10 2. Column (c) is 2012 Interim Rate Adjustment per the proposed Tariffs for Rate CGS and PT customers.
- 11 3. Column (b) includes rates from GUD 10000 for the Capacity Charge in the amount of \$3.6263 and
- 12 Capacity Charge related to Mid-Tex Working Gas in the amount of \$0.8134; also included is \$0.0881
- 13 for the Annual Rider Rev Adjustment, the 2010 IRA Adjustment in the amount of \$0.4036, and the 2011
- 14 IRA Adjustment in the amount of \$0.4691 for a total of \$5.4005.
- 15 4. Column (b) includes the rate from GUD 10000 for the Capacity Charge in the amount of \$3.6263,
- 16 \$0.0881 for the Annual Rider Rev Adjustment, the 2010 IRA Adjustment in the amount
- 17 of \$0.4036 and the 2011 IRA Adjustment in the amount of \$0.4691 for a total of \$4.5871.
- 18 5. Column (b) includes the rate from GUD 10000 for the Capacity Charge in the amount of \$2.3061,
- 19 \$0.0495 for the Annual Rider Rev Adjustment, the 2010 IRA Adjustment in the amount of \$0.2454,
- 20 and the 2011 IRA Adjustment in the amount of \$0.2513 for a total of \$2.8523.

ATMOS PIPELINE - TEXAS
INTERIM COST RECOVERY AND RATE ADJUSTMENT REPORT
AS OF DECEMBER 31, 2012

Line No.	Description (a)	Total (b)	Reference (c)
1	Return Factor	9.362%	GUD 10000, Sch. G, Col. (b), Ln. 21
2	Depreciation Expense Factor Calculations:		
3	Depreciation Expense	27,257,355	GUD 10000, Sch F-3, Col (g), Ln 66
4	Invested Capital - Gross Plant	1,074,791,982	GUD 10000, Sch F-3, Col (e), Ln 66
5	Pipeline Depreciation Expense Factor	2.536%	Ln 5 divided by Ln 6
6	Total SSU Depreciation Expense	2,310,362	GUD 10000, Sch F-3, (Col (g), Ln 111 + Col (g), Ln 119)
7	Invested Capital - Gross Plant	25,481,366	GUD 10000, Sch F-3, (Col (e), Ln 111 + Col (e), Ln 119)
8	SSU Depreciation Expense Factor	9.067%	Ln 9 divided by Ln 10
9	Pipeline Property Tax Factor Calculation:		
10	Property-Related Taxes (Ad Valorem) (1)	12,501,894	Amount of Ad Valorem taxes paid for 2012 for Pipeline and Gas Storage Property
11	North Loop Tax Reimbursement	450,645	Amount of Energy Transfer Reimbursement for 50% of North Loop Taxes
12	Total Property-Related Taxes (Ad Valorem)	12,051,249	Ln 14 minus Ln 15
13	Total Net Plant	685,626,809	GUD 10000, Sch C, Col (e), Ln 66 minus Sch D, Col (f), Ln 65
14	Pipeline Property Tax Factor	1.758%	Ln 16 divided by Ln 17
15	SSU Property Tax Factor Calculation:		
16	Property-Related Taxes (Ad Valorem)	77,927	Amount of Ad Valorem taxes paid for 2012
17	Total Net Plant	15,855,439	GUD 10000, Sch C, (Col (e), Ln 111 + Col (e), Ln 119) minus Sch D, (Col (f), Ln 113 + Col (f), Ln 121)
18	SSU Property Tax Factor	0.491%	Ln 21 divided by Ln 22
19	Federal Income Tax Factor Calculation (1 / .65) * (.35)	53.84615%	GUD 10000, Sch F-6, Col (b), Ln 10
20	Allocation Factors		
21	Rate Schedule CGS	0.975869	GUD 10000, Sch A, (Col (d), Ln 2 + Col (d), Ln 3) divided by Col (d), Ln 6
22	Rate Schedule PT	0.024131	GUD 10000, Sch A, Col (d), Ln 4 divided by Col (d), Ln 6
23	Total	1.000000	Sum of Ln 28 through Ln 29
24	2012 Year-end Maximum Daily Quantity (MDQ) times 12:		
25	Rate Schedule CGS	30,664,332	Current year-end maximum daily quantity per contract
26	Rate Schedule PT	1,728,732	Current year-end maximum daily quantity per contract
27	Note:		
28	1. The Company verified the 2011 Ad Valorem taxes paid amount included in the 12/31/11 filing. The amount included in the filing was \$11,732,112 and the amount changed to \$11,765,386 a difference of \$33,274. The Company has not included an adjustment in this filing to recover the shortfall.		

**ATMOS PIPELINE - TEXAS
INTERIM COST RECOVERY AND RATE ADJUSTMENT REPORT
AS OF DECEMBER 31, 2012**

Line No.	Description (a)	Factors (b)	Reference (c)
1	Cost of Common Equity	\$ 48,135,216	GUD 10000, Sch G, Col (b), Ln 5
2	Cost of Preferred Stock	-	
3	Return excluding debt, per GUD 10000	\$ 48,135,216	Ln 1 plus Ln 2
4	Total Invested Capital	\$ 807,733,326	GUD 10000, Sch G, Col (b), Ln 14
5	Return rate excluding debt, per GUD 10000	5.959%	Ln 3 divided by Ln 4
6	Federal Income Tax Factor	53.84615%	Sch B, Col (b), Ln 25
7	Federal Income Tax Adjustment Factor	3.209%	Ln 5 times Ln 6
8	Change in Invested Capital - Net Utility Plant	\$ 156,439,577	Sch A, Col (g), Ln 6
9	Change in Federal Income Tax	\$ 5,019,914	Ln 7 times Ln 8

ATMOS PIPELINE - TEXAS
 INTERIM COST RECOVERY AND RATE ADJUSTMENT REPORT
 AS OF DECEMBER 31, 2012

Line No.	Description (a)	Ref (b)	Adjustments (c)	Total Adjustment (d)
1	<u>APT Utility Plant Investment Adjustments:</u>			
2	To remove Arwork from Pipeline Utility Plant per GUD 10000, Finding of Fact No. 38; Sch C, Col (d), Ln 47, Project 180.10927.	1	\$ (46,552)	
3	To reverse the adjustment already included in the per books number on Sch A, Col (b), Ln 1.	1	46,552	
4	Ending Balance, APT Utility Plant Investment Adjustments		\$ -	
5				
6	<u>APT Accumulated Depreciation Adjustments:</u>			
7				
8	Ending Balance, APT Accumulated Depreciation Adjustments		\$ -	
9				
10	<u>SSU Utility Plant Investment Adjustments:</u>			
11	Adjustment to account for change in allocations rates from GUD 10000 to current rate	2	\$ (1,053,449)	
12	Year 2011 Reallocation Adjustment for Shared Services 2010 Additions	3	(626,744)	
13	Year 2012 Reallocation Adjustment for Shared Services 2010 and 2011 Additions	4	(1,245,225)	
14	Ending Balance, SSU Utility Plant Investment Adjustments		\$ (2,925,419)	
15				
16	<u>SSU Accumulated Depreciation Adjustments:</u>			
17				
18	Ending Balance, SSU Utility Plant Investment Adjustments		\$ -	
19				
20	<u>Adjustments Rolled Forward from GUD 10000:</u>			
21	To remove the amortized disallowances from GUD 10000, Sch B-1 and Sch C, Col (e), Ln 122b related to employee expenses.	5, 13	\$ (876,391)	
22	To remove Shared Services - General Office projects allocated to Pipeline and removed from rate base per GUD 10000, Sch B-1, 1 and Sch C, Col (e), Ln 122a.	5, 13	(1,308,327)	
23	Ending Balance, Adjustments		\$ (2,184,718)	
24				
25	<u>Rate Base Adjustments:</u>			
26	Reduction to exclude Expense Account Charges from Shared Services 2010 Additions	6	\$ (97)	
27	Reduction to exclude Direct Expense Account Charges from Pipeline 2010 Additions	6	(1,611)	
28	To remove project 010.11566 allocated to Pipeline in Calendar Year 2010 that does not currently provide services to Pipeline.	7, 13	(33,207)	
29	Reclassification of projects in April 2010 through December 2010 for Shared Services; Projects reclassified from General Office to Customer Support: 010.11629, 010.11630, 010.11633, 010.11648, 010.11651, 010.11656, 010.11679, 010.11681, 010.11682, 010.11685, 010.11686, 010.11687 and 010.11692.	8	(115,452)	
30				
31	<u>2011 Rate Base Adjustments:</u>			
32	To remove projects 010.11579 and 010.11782 allocated to Pipeline in Calendar Year 2011 that do not currently provide services to Pipeline.	7	\$ (211,044)	
33	To reverse the adjustment shown on Line 28 as all transfers are included in SSU Retirement Report, page 1 of 2.	8	115,452	
34	Reallocation of 2010 SSU employee expenses adjusting to 2011 factors	9	(3)	
35	Reduction to exclude Expense Account Charges from Shared Services 2011 Additions	10	(291)	
36	Reduction to exclude Direct Expense Account Charges from Pipeline 2011 Additions	10	(18,764)	
37	Reclassification of a project in January 2011 through December 2011 for Shared Services; Projects reclassified from General Office to Customer Support: 010.13910.	11	(1,850)	
38	Reclassification of a project in January 2011 through December 2011 for Shared Services; Projects reclassified from Customer Support to General Office: 010.12196.	12	936	
39				

ATMOS PIPELINE - TEXAS
 INTERIM COST RECOVERY AND RATE ADJUSTMENT REPORT
 AS OF DECEMBER 31, 2012

Line No.	Description (a)	Ref (b)	Adjustments (c)	Total Adjustment (d)
40	<u>2012 Rate Base Adjustments:</u>			
41	To remove projects 010.11776, 010.14525, 010.14527, and 010.18377 allocated to Pipeline in Calendar Year 2012 that do not currently provide services to Pipeline.	7, 13	\$ (46,288)	
42	Reallocation of 2010 SSU employee expenses adjusting to 2012 factors	14	(5)	
43	To reverse the adjustment shown on Line 37 as all transfers are included in SSU Retirement Report, page 1 of 2.	11	1,850	
44	To reverse the adjustment shown on Line 38 as all transfers are included in SSU Retirement Report, page 1 of 2.	12	(936)	
45	Reallocation of 2011 SSU employee expenses adjusting to 2012 factors	14	(15)	
46	Reduction to exclude Expense Account Charges from Shared Services 2012 Additions	15	(555)	
47	Reduction to exclude Expense Account Charges from Pipeline 2012 Additions	15	(14,071)	
48	Reduction to exclude cost of retirement associated with project 180.21221	16	(35,282)	
49	Ending Balance, Rate Base Adjustments			\$ (361,232)
50				
51				
52				
53	Notes:			
54	1. This adjustment was made to remove artwork from Pipeline Utility Plant per GUD 10000, Finding of Fact No. 38; Sch C, Col (d), Ln 47 for Project 180.10927.			
55	2. Adjustment to account for changes in allocation factors from GUD 10000 at 14.30% to the current rate at 14.91%.			
56	3. These adjustments reallocate the prior Shared Services Additions authorized in GUD 10078 to the level of service provided by SSU at the end of 2011.			
57	4. These adjustments reallocate the prior Shared Services Additions authorized in GUD 10078 and GUD 10144 to the level of service provided by SSU at the end of 2012.			
58	5. These balances roll forward the adjustments disallowed in GUD 10000 Final Order.			
59	6. These adjustments remove certain expense account charges booked to capital from April 2010 - December 2010.			
60	7. These projects have been removed since Pipeline does not utilize the services from these projects.			
61	8. This adjustment relates to the Reclassification of Shared Services additions from General Office to Customer Support in the April 2010 through December 2010 Report.			
62				
63	9. Restatement of the 2010 Employee Expense account charges using the 2012 allocation factors.			
64	10. These adjustments remove certain employee expense account charges booked to Capital from January 2011 - December 2011.			
65	11. This adjustment relates to the Reclassification of Shared Services additions from General Office to Customer Support in the January 2011 through December 2011 Report.			
66				
67	12. This adjustment relates to the Reclassification of Shared Services additions from Customer Support to General Office in the January 2011 through December 2011 Report.			
68				
69	13. Adjustments as applicable are stated at SSU current year allocation factor and/or current year amortization.			
70	14. Restatement of the 2010 employee expense account charges using the 2013 allocation factors.			
71	15. These adjustments remove certain employee expense account charges booked to Capital from January 2012 - December 2012.			
72	16. This adjustment removes costs for an asset that should have been retired during 2012; however, the retirement was not booked until 2013.			