

**RAILROAD COMMISSION OF TEXAS
GAS SERVICES DIVISION**

**GAS UTILITIES
INFORMATION BULLETIN**

No. 850



**RAILROAD COMMISSION
OF TEXAS**

**Michael L. Williams, Chairman
Victor G. Carrillo, Commissioner
Elizabeth A. Jones, Commissioner**

**William O. Geise
Director
Gas Services Division**

August 25, 2008

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Orders were issued in the following dockets:

GUD No. 9762 and Consolidated Cases: Statement of Intent filed by Atmos Energy Corporation to increase utility rates within the unincorporated areas served by the Atmos Energy Corp., Mid-Tex Division and Petition for De Novo Review of the Statement of Intent filed by Atmos in various municipalities – *Order on Rehearing and Order Nunc Pro Tunc.*

August 25, 2008

SECTION 1
NEW APPEALS AND APPLICATIONS FILED

DOCKET NO. -- 9815
CAPTION -- Application of Texas Gas Service Company (TGS) for Review of Proposed Revision to El Paso Environs Rules of Service (Tapping Fee Rate) – Unincorporated Area of El Paso Service Area, Connington Colonia.
DATE FILED -- July 7, 2008
FILED BY -- Nicole Simmons
EXAMINER -- Bill Geise

DOCKET NO. -- 9816
CAPTION -- Inquiry into the Failure of Texas Gas Service Company to Comply with Safety Standards.
DATE FILED -- August 18, 2008
FILED BY -- Commission's Own Motion
EXAMINER --

DOCKET NO. -- 9817
CAPTION -- Inquiry into the Failure of Texas Gas Service Company to Comply with Safety Standards.
DATE FILED -- August 18, 2008
FILED BY -- Commission's Own Motion
EXAMINER --

DOCKET NO. -- 9818
CAPTION -- Inquiry into the Failure of Kinder Morgan Texas Pipeline LLC to Comply with Safety Standards.
DATE FILED -- August 18, 2008
FILED BY -- Commission's Own Motion
EXAMINER --

DOCKET NO. -- 9819
CAPTION -- Inquiry into the Failure of Bluebonnet Natural Gas LLC to Comply with Safety Standards.
DATE FILED -- August 18, 2008
FILED BY -- Commission's Own Motion
EXAMINER --

DOCKET NO. -- 9820
CAPTION -- Formal Complaint filed by Clayton Williams Energy, Inc. Against Energy Transfer Fuels, L.P.
DATE FILED -- August 20, 2008
FILED BY -- John R. Hays, Jr.
EXAMINER -- Eugene Montes

August 25, 2008

DOCKET NO. -- 9821
CAPTION -- Inquiry into the Failure of Texas Gas Service Company to Comply with Safety Standards.
DATE FILED -- August 21, 2008
FILED BY -- Commission's Own Motion
EXAMINER --

DOCKET NO. -- 9822
CAPTION -- Application of Kinder Morgan Tejas Pipeline LLC to Report the Sale of Monte Cristo Lateral pipeline located in Hidalgo County, Texas to DCP Midstream, LP.
DATE FILED -- August 25, 2008
FILED BY -- Lee Baskin
EXAMINER -- Lynne LeMon

SECTION 2

APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE

None at this time.

SECTION 3
STATUS OF PENDING CASES

None at this time.

SECTION 4
NOTICES OF DISMISSAL

None at this time.

August 25, 2008

SECTION 5
ORDERS OF THE COMMISSION

BEFORE THE
RAILROAD COMMISSION OF TEXAS

<p>STATEMENT OF INTENT FILED BY ATMOS ENERGY CORPORATION TO INCREASE UTILITY RATES WITHIN THE UNINCORPORATED AREAS SERVED BY THE ATMOS ENERGY CORP., MID-TEX DIVISION AND PETITION FOR DE NOVO REVIEW OF THE DENIAL OF THE STATEMENT OF INTENT FILED BY ATMOS IN VARIOUS MUNICIPALITIES.</p>	<p>GAS UTILITIES DOCKET NO. 9762 AND CONSOLIDATED CASES</p>
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ORDER ON REHEARING AND ORDER NUNC PRO TUNC

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 1994 & Supp. 2008).

The Commission issued a Final Order in this docket on June 24, 2008. The parties filed timely motions for rehearing and responses to those motions. The Commission has considered the motions for rehearing, the responses, and the entire record of the case. The motions for rehearing do not raise any issues of law or fact not previously considered by the Commission and are hereby **DENIED**.

The Final Order contains two clerical errors. First, reference is made in the attached tariffs to the rate review mechanism (RRM). The request for the RRM was withdrawn and all references to the RRM in the tariffs are hereby removed, nunc pro tunc. Second, Finding of Fact No. 51 found that a one day billing lag was reasonable. The incorrect reference in Finding of Fact No. 53 that a 2.72 day billing lag "is reasonable" contradicts the Commissions determination in Finding of Fact No. 51 and is hereby removed, nunc pro tunc.

SIGNED this 25th day of August, 2008.

RAILROAD COMMISSION OF TEXAS

/s/ _____
MICHAEL L. WILLIAMS
CHAIRMAN

/s/ _____
VICTOR G. CARRILLO
COMMISSIONER

/s/ _____
ELIZABETH A. JONES
COMMISSIONER

ATTEST

August 25, 2008

Kim Williamson
SECRETARY

SECTION 6
MISCELLANEOUS

WILLIAM O. GEISE, GAS SERVICES DIVISION DIRECTOR

1. OFFICE OF THE DIRECTOR

A. Publications

1. Texas Utilities Code Titles 3 and 4. Now available at the State of Texas' website at:
<http://www.capitol.state.tx.us/statutes/uttoc.html>
Special Rules of Practice and Procedure and Substantive Rules. Now available thru the Commission's Website at:
[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7)
2.
 - a. Annual Report for Fiscal Year 2006 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/2006AnnualStatisticalReport.html>
 - b. Annual Report for Fiscal Year 2005 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/RRCAnnualReport2005.htm>
 - c. Annual Report for Fiscal Year 2004 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/TABLECON04.htm>
 - d. Annual Report for Fiscal Year 2003 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/tablecontents03.html>
 - e. Annual Report for Fiscal Year 2002 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/tablecontents02.html>
 - f. Annual Report for Fiscal Year 2001 – available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/tablecontents01.html>
 - g. Annual Report for Fiscal Year 2000 - \$17.00 (includes statistical data for 1999)
3. Six MCF Monthly Residential Gas Bill Analysis for Twenty-five Texas Cities - \$2.00 – Now available via the Commission's website at:
<http://www.rrc.state.tx.us/divisions/gas/rap/sixmcf.html>

Anyone who wishes to obtain a copy of any of the publications or maps listed in Section A should contact the Central Records Section at 512-463-6887 OR 512-463-6882 P. O. Box 12967, Austin, Texas 78711-2967.

August 25, 2008

B. Interest Rate on Customer Deposits

We have been advised by the Public Utility Commission that the interest rate to be applied to customer deposits in calendar year 2008 is 4.69%. All gas utilities should use 4.68% through December 31, 2007 and use 4.69% effective January 1, 2008.

2. UTILITY AUDIT SECTION**A. Maintains headquarters and three district offices as follows:**

Headquarters - William B. Travis Building 1701 North Congress, P. O. Box 12967, Austin, Texas 78701	Telephone (512) 463-7022 Fax (512) 475-3180
Ed Abrahamson, Director, Utility Audit Section Shannon Miller, Program Specialist Pearl Rodriguez, Program Specialist Rachel Hampton, Administrative Assistant	
Dallas District- 1546 Rowlett Rd., Suite 107, Garland, Texas 75043	Telephone (972) 240-5757 Fax (972) 303-1897
Yolandra Davis, Auditor Josh Settle, Auditor	
Austin District- P. O. Box 12967, Austin, Texas 78711-2967	Telephone (512) 463-7022 Fax (512) 475-3180
Stephen Cooper, Senior Auditor	
Houston District- 1706 Seamist Drive. Suite 501 Houston, TX 77008-3135	Telephone (713) 869-8425 Fax
(713) 869-3219 Margie Stoney, Senior Auditor Larry Alcorn, Auditor Dale Francis, Auditor LaToya Johnson, Auditor Konata Uzoma, Auditor	

B. Gas Utility Tax, Annual Reports and Audit Reports

1. Questions relating to gas utility tax, call Rachel Hampton at (512) 463-7022.
2. Questions relating to annual reports, call Rachel Hampton or Pearl Rodriguez at (512) 463-7022.
3. Inquiries relating to audit reports, call Pearl Rodriguez at (512) 463-7022.

C. Available Information

Copies of gas utility annual reports (2000 to present), as well as information relating to any of the above, A through C, are available for review at the William B. Travis Building, Gas Services Division, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of seven to ten business days for completion of requests. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022, or Fax your request to (512) 475-3180.

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3. MARKET OVERSIGHT**A.** Maintains the following office to assist you:

Headquarters - William B. Travis Building
1701 North Congress, P.O. Box 12967, Austin, Texas 78711
William O. Geise, Director

Telephone (512) 463-7164

B. Gas Utilities Information BulletinPublished on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/rapbls.html>**C. Proposals For Decision**Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/pfds.html>**D. Tariff Filings**

Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Kathy Arroyo, Yolanda Lovelace or Marie Blanco at (512) 463-7167.

E. Curtailments

Curtailment questions should be referred to (512) 463-7167. Curtailment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7167. Curtailment reports made during hours other than those specified above and holidays, should be made to (512) 463-6788.

F. Compliance Filings

Questions regarding gas utilities docket compliance filing requirements should be referred to Mark Brock at (512) 463-7164.

G. Complaints and Inquiries

All complaints and inquiries relating to the gas utility industry should be directed to the Market Oversight Section at (512) 463-7164.

H. Pending RRC Rules and Regulations:

GUD No. 9277 Amendments to §7.305 Curtailment Rule

4. HEARINGS AND LEGAL ANALYSIS**A. Miscellaneous**

Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the Legal Division at (512) 463-7017.

B. Status of Pending Cases

The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the Legal Division at (512) 463-7017.