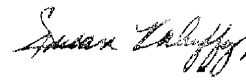


THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

STATE CORPORATION COMMISSION

Before Commissioners: Brian J. Moline, Chair
Robert E. Krehbiel
Michael C. Moffet

JAN 31 2005

 Docket Room

In the Matter of the Application of Atmos)
Energy for Approval of an Accounting) Docket No. 05-ATMG-617-HED
Order to Permit Atmos Energy to Recover)
Amounts Necessary to Expend in Order to)
Establish and Maintain a Gas Ceiling Price)
for all of the 2005-2006 Heating Season and)
for a Portion of the Budgeted Winter)
Volumes for the 2006-2007 Heating Season;)
and for Approval to Continue with its Use of)
its "Gas Hedge Program" tariff.

PETITION TO INTERVENE

COMES NOW, the Citizens' Utility Ratepayer Board ("CURB") and moves the Corporation Commission of the State of the Kansas ("Commission") for an order permitting it to intervene in the above-captioned proceeding. In support of its petition, CURB states and alleges as follows:

1. CURB is composed of five volunteer consumer advocate members and is statutorily authorized to represent the interests of Kansas residential and small commercial ratepayers in utility proceedings.
2. CURB's Consumer Counsel has been given the discretion to intervene and represent the interests of Kansas residential and small commercial ratepayers in any utility proceeding before the Commission under K.S.A. 66-1223 et seq.
3. On January 28, 2005, Atmos Energy filed its application with the Commission for an order approving its request for an accounting order to permit Atmos to recover such amounts as may be necessary to expend in order to establish and maintain a gas ceiling price for all of the

2005-2006 heating season and a portion of the budgeted winter volumes for the 2006-2007 heating season under the Gas Hedge Program and for approval to continue with its “Gas Hedge Program” tariff.

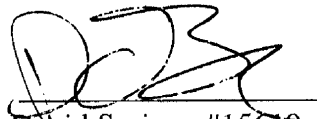
4. CURB is requesting permission to intervene in this docket to represent the interests of the residential and small commercial ratepayers of Kansas. The rates paid and the service received by those customers will or may be affected by any Commission order or activity in this proceeding.

5. The representation of CURB’s interests in this proceeding by existing parties is or may be inadequate.

6. The residential and small commercial ratepayers whose interests CURB represents will or may be bound by any Commission order or activity in this proceeding and will or may be adversely affected thereby.

WHEREFORE, CURB RESPECTFULLY REQUESTS THE Commission grant its Petition for Intervention in this Docket.

Respectfully submitted,



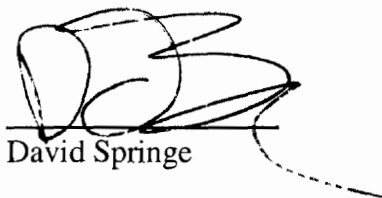
David Springe #15619
Niki Christopher #19311
Citizens’ Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, KS 66604
(785) 271-3200
(785) 271-3116 Fax

VERIFICATION

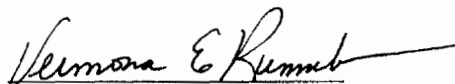
STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

I, David Springe, of lawful age, being first duly sworn upon his oath states:

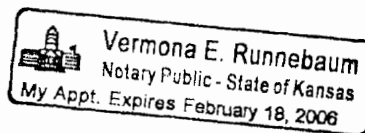
That he is an attorney for the above named petitioner; that he has read the above and foregoing Intervention, and, upon information and belief, states that the matters therein appearing are true and correct.


David Springe

SUBSCRIBED AND SWORN to before me this 31st day of January, 2005.


Notary of Public

My Commission expires:

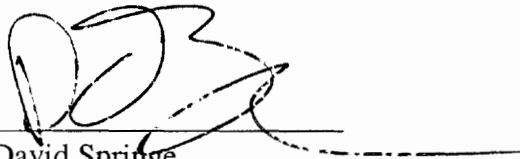


CERTIFICATE OF SERVICE

I, David Springe, hereby certify a true and correct copy of the foregoing, was hand delivered, or placed in the United States mail, postage prepaid, on this 31st day of January 2005 to:

Susan Cunningham
Kansas Corporation Commission
1500 S.W. Arrowhead Rd.
Topeka, KS 66604
Hand Delivered

James G. Flaherty
Anderson & Bryd
PO Box 17
Ottawa, KS 66067



David Springe