

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

STATE CORPORATION COMMISSION

Before Commissioners: Thomas E. Wright, Chairman  
Michael C. Moffet  
Joseph F. Harkins

AUG 18 2009

 Docket Room

In the Matter of the Application of Atmos )  
Energy for Approval of the Commission for ) Docket No. 10-ATMG-133-TAR  
Gas System Reliability Surcharge per K.S.A. )  
66-2201 through 66-2204. )

**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 August 14, 2009, Atmos Energy filed an application with the Kansas Corporation Commission for approval of the Commission for Gas System Reliability Surcharge per K.S.A. 66-2201 through 66-2204.

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. In addition to undersigned counsel, please include the following CURB representatives with all electronic notices, pleadings, and correspondence regarding this Application as follows:

Shonda Smith  
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6. The representation of CURB's interests in this proceeding by existing parties is or may be inadequate.

7. 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,



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David Springe #15619  
Niki Christopher #19311  
C. Steven Rarrick #13127  
Citizens' Utility Ratepayer Board  
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**CERTIFICATE OF SERVICE**


10-ATMG-133-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing document was placed in the United States mail, postage prepaid, or hand-delivered this 18th day of August, 2009, to the following:

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Della Smith