

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners: Jay Scott Emler, Chairman  
Shari Feist Albrecht  
Pat Apple

In the Matter of the Complaint Against )  
Atmos Energy by Floyd Cattle Co., Inc./ ) 16-ATMG-454-COM  
Martie Floyd )

**ORDER CLOSING DOCKET**

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined the pleadings submitted and being duly advised in the premises, the Commission finds as follows:

**I. BACKGROUND**

1. On April 11, 2016, Martie Floyd (Complainant) filed a Formal Complaint (Complaint) against Atmos Energy (Atmos) with the Commission.<sup>1</sup> The Complainant asserted that Atmos requires electronic metering for all transportation customers, which is not possible in rural areas of Kansas where phone lines are not easily accessible.<sup>2</sup>

2. On August 4, 2016, the Commission approved an Order Adopting Legal Memorandum, which ordered the Formal Complaint to be served upon Atmos for an Answer and directed Staff to investigate this matter and submit a Report and Recommendation to the Commission.<sup>3</sup>

3. On September 5, 2016, the Complainant mailed a letter to the Commission Consumer Protection Division requesting the withdrawal the Complaint, stating that the

---

<sup>1</sup>Formal Complaint, April 11, 2016.

<sup>2</sup>Formal Complaint, page 3.

<sup>3</sup> Order Adoption Legal Memorandum, August 4, 2016, page 2.

Complainant and Atmos reached a mutually acceptable resolution of the matters raised in the Complaint.<sup>4</sup> A copy of the letter of September 5, 2016 is attached hereto as Attachment A.

## **II. FINDINGS AND CONCLUSIONS**

4. The Commission finds and concludes that the record in this proceeding supports that all outstanding issues between Complainant and Atmos complained of in this docket have been resolved. Therefore, the Commission finds it appropriate to grant Complainant's request to withdraw its present complaint before the Commission, and close the present docket.

### **IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

(A) Complainant's request to withdraw its complaint in this matter is hereby granted.

(B) The above-captioned docket is hereby closed.

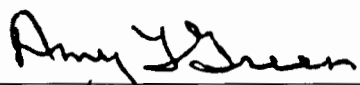
(C) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2015 Supp. 77-529(a)(1).

(D) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

### **BY THE COMMISSION IT IS SO ORDERED.**

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: SEP 29 2016

  
\_\_\_\_\_  
Amy L. Green  
Secretary to the Commission

JF

**Order Mailed Date**

**SEP 30 2016**

<sup>4</sup> Letter of Complainant, September 5, 2016

Kansas Corporation Commission  
Consumer Protection Division

September 5, 2016

Floyd Cattle Co.  
6190 North Rd. G  
Johnson, Ks 67855

To Whom It May Concern:

I am writing to you to in regards to the formal complaint against Atmos that I filed in April. The KCC responded with an Order Adopting Legal Memorandum Docket #16-ATMG-454-COM.

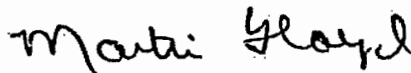
After Atmos received the complaint they contacted me and stated they had changed some of their policies regarding the transport of gas over their lines. Since that time Atmos, and specifically Scott Gaines from their company has communicated with me and we have come to an agreement on how they would allow us to use the electronic equipment for a \$30 per month charge. This seems reasonable to us and alleviates our main concern of costs associated with purchasing electronic equipment needed to transport and meter the gas we consume.

Therefore we would ask that the KCC dismiss their order and investigation regarding Atmos in the docket stated above.

We want to thank the Commission and specifically Jake Fisher for their time and response to the issue we brought forth to the Commission. We believe that with the reasonable costs associated with being able to now transport gas that we will be able to receive considerable savings.

Thank you for your attention to this matter.

Sincerely yours,

  
Martie Floyd  
Floyd Cattle Co.  
620-492-6610

P.S. For this complaint Addresses and Meter #'s are:

NW 1-27-42 11N742328  
SW 6-27-41 G0001117  
NW 15-27-41 11N742329  
NW 7-27-41 12T959727

## **CERTIFICATE OF SERVICE**

16-ATMG-454-COM

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on SEP 29 2016.

JAMES PRICE, ATTORNEY  
ATMOS ENERGY  
5430 LBJ FREEWAY, THREE LINCOLN CENTRE  
PO BOX 650205  
DALLAS, TX 75265-0205  
james.price@atmosenergy.com

BRAD MILLS  
ATMOS ENERGY CORPORATION  
25090 W 110TH TERR  
OLATHE, KS 66061  
brad.mills@atmosenergy.com

MARTIE FLOYD  
FLOYD CATTLE CO., INC.  
6190 N ROAD G  
JOHNSON, KS 67855

JAKE FISHER, LITIGATION COUNSEL  
KANSAS CORPORATION COMMISSION  
1500 SW ARROWHEAD RD  
TOPEKA, KS 66604-4027  
Fax: 785-271-3354  
j.fisher@kcc.ks.gov

/S/ DeeAnn Shupe  
DeeAnn Shupe

Order Mailed Date  
SEP 30 2016