# THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

**Before Commissioners:** 

Shari Feist Albrecht, Chair

Jay Scott Emler Pat Apple

In the Matter of an Application by Atmos )
Energy to Amend its General Service Firm )
Transportation Service Tariff (Rate Schedule )
FT 900)

Docket No. 15-ATMG-424-TAR

#### **SUSPENSION ORDER**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

#### I. BACKGROUND

1. On March 19, 2015, Atmos Energy (Atmos) filed an Application with the Kansas Corporation Commission seeking to amend its general service firm transportation service tariff (Rate Schedule FT 900) to permit customers who qualify to take service under Rate Schedule 965 (Irrigation Engine Sales Service) to obtain firm transportation service under Rate Schedule FT 900.<sup>1</sup>

#### II. FINDINGS AND CONCLUSIONS

2. Pursuant to K.S.A. 66-117, a public utility over which the Commission has jurisdiction cannot make effective any changed rate, joint rate, toll, charge or classification or schedule of charges, or any rule or regulation or practice pertaining to the service of a public

<sup>&</sup>lt;sup>1</sup> Application for Atmos Energy (Mar. 19, 2015).

utility except by filing with the Commission.<sup>2</sup> The Commission may suspend the effective date while it conducts its investigation of the utility's proposal.<sup>3</sup>

- 3. The Commission has determined that Commission Staff (Staff) will need additional time to fully investigate the Application, and suspension is required to allow sufficient time for Staff's review and investigation of this matter. Although the Commission reserves the full 240 days, Staff recognizes the need for efficient use of Commission resources and will thus strive to complete its Report and Recommendation by June 30, 2015.
- 4. A full investigation of the Application, which may result in a hearing, is deemed necessary and proper. The Commission finds and concludes that suspension of the Application and deferral of its effective date are required to allow sufficient time for full investigation of this matter. The Application shall be suspended for a period of 240 days from the date it was filed, March 19, 2015, until Monday, November 16, 2015, pursuant to K.S.A. 66-117(c).<sup>4</sup>

#### THEREFORE, THE COMMISSION ORDERS:

- A. The Application is suspended for a period of 240 days from the date it was filed until November 16, 2015.
- B. The parties have 15 days, plus three days if service of this Order is by mail, to petition the Commission for reconsideration.<sup>5</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

<sup>&</sup>lt;sup>2</sup> See K.S.A. 66-117(a).

<sup>&</sup>lt;sup>3</sup> See K.S.A. 66-117(c).

<sup>&</sup>lt;sup>4</sup> 240 days from March 19, 2015, is Saturday, November 14, 2015. Pursuant to K.A.R. 82-1-217(a), K.S.A. §§ 66-117(c),(g), and K.S.A 77-503(c), the computation of time requires the suspension period expire on the following Monday, November 16, 2015.

<sup>&</sup>lt;sup>5</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

### BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner

Dated: APR 0 2 2015

ORDER MAILED APR 032015

Neysa Thomas
Acting Secretary

**REV** 

## PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NO. CERT. COPIES NO. PLAIN COPIES

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## ORDER MAILED APR 0 3 2015