

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Application of Atmos                     )  
Energy Corporation for Adjustment of its                     )  
Natural Gas Rates in the State of Kansas                     )                     Docket No. 19-ATMG-525-RTS

**MOTION TO FILE LATE-FILED EXHIBIT**

Atmos Energy Corporation (Atmos Energy) submits the following motion to the Kansas Corporation Commission (Commission) to file a late-filed exhibit pursuant to K. A. R. 82-1-230(g).

In support of its motion, Atmos Energy states as follows:

1. All parties in this rate case proceeding agreed that prudently incurred rate case expenses are reasonably necessary expenses that a public utility is entitled to recover in a rate-making proceeding.<sup>1</sup>

2. They also agreed that the submission of a late-filed exhibit that updates and sets forth all of the parties' final actual rate case expense is a reasonable method in determining the final rate case expense to be included in rates in this proceeding.<sup>2</sup>

3. During the hearing, the Commission admitted Atmos Exhibit No. 3 into the record.<sup>3</sup> That exhibit contained an estimate of rate case expense incurred by the parties in this proceeding.<sup>4</sup> Atmos Energy requests permission to file a late-filed exhibit updating Atmos Exhibit No. 3 to include the actual final rate case expenses incurred by Atmos Energy, the Commission Staff and the Citizens'

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<sup>1</sup>Story Rebuttal, p. 28, lines 4 20; Campbell Direct, p. 6, lines 1 14; Direct Testimony of Andrea C. Crane, p. 34, lines 8 11, filed October 31, 2019, in Docket No. 19-ATMG-525-RTS (Crane Direct). *See also, Kan. Indus. Consumers Group, Inc. v. State Corp. Comm'n*, 36 Kan. Ct. App. 2d 83, 111 (2006) ("the general rule is that prudently incurred rate case expenses are among the reasonably necessary expenses that a public utility is entitled to recover in a rate making proceeding.").

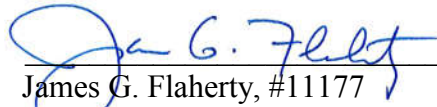
<sup>2</sup>Campbell, Tr. Vol. 3, p. 603, line 1, thru p. 604, line 6.

<sup>3</sup>Story, Vol. 2, Tr. 453, line 4 thorough Tr. 455, line 6; Atmos Exhibit No. 3.

<sup>4</sup>Atmos Exhibit No. 3.

Utility Ratepayer Board (CURB) for the Commission's consideration.

WHEREFORE, for the reasons set forth herein and the testimony submitted by each party during the hearing, Atmos Energy requests permission to file a late-filed exhibit updating Atmos Energy Exhibit No. 3 to include the actual final rate case expense incurred by the parties.



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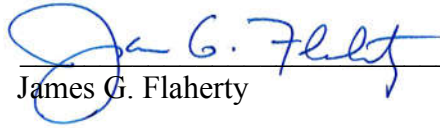
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**VERIFICATION**

STATE OF KANSAS  
COUNTY OF FRANKLIN, ss:

James G. Flaherty, of lawful age, being first duly sworn deposes and says that he is attorney for Atmos Energy Corporation; that he has read the above and foregoing Motion to File Late-Filed Exhibit; and the statements therein contained are true.

  
James G. Flaherty

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of February, 2020.





Notary Public

Appointment/Commission Expires:

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was sent via electronic mail this 5<sup>th</sup> day of February, 2020, addressed to:

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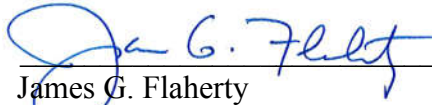
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