

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:     Mark Sievers, Chairman  
                                  Thomas E. Wright  
                                  Shari Feist Albrecht

In the Matter of the Application of Atmos     )  
Energy to Amend its Purchase Gas     )     Docket No. 14-ATMG-230-TAR  
Adjustment (PGA) Schedule to Add a     )  
Demand Charge Savings and Pipeline     )  
Bypass Savings Component to the PGA.     )

**ORDER GRANTING INTERVENTION TO CURB**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) upon the Petition of the Citizens' Utility Ratepayer Board (CURB) to intervene in the above-captioned matter. Having examined the files, the Commission finds:

1.     On November 15, 2013, Atmos Energy filed an application with the Commission to amend its Purchased Gas Adjustment (PGA) Schedule, pursuant to K.S.A. 66-117, to add a Demand Charge Savings and Pipeline Bypass Savings Component to the PGA.<sup>1</sup>

2.     On November 18, 2013, CURB filed a Petition to Intervene (Petition).<sup>2</sup> In its Petition, CURB stated it is composed of five volunteer board members statutorily authorized to 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.*<sup>3</sup> CURB requests permission to intervene because the rates paid by those customers will or may be substantially affected by any Commission order or activity in this proceeding.<sup>4</sup>

3.     The Commission has broad discretion to grant a petition for intervention if it is in the interest of justice, if the intervention will not impair the orderly and prompt conduct of the

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<sup>1</sup> Application (November 15, 2013).

<sup>2</sup> Petition to Intervene (November 18, 2013).

<sup>3</sup> *Id.* at ¶¶ 2-3.

<sup>4</sup> *Id.* at ¶¶ 5, 7.

proceedings, and if the party has stated facts demonstrating its legal rights, duties and privileges, immunities or other legal interests may be substantially affected by the proceeding.<sup>5</sup> Furthermore, at any time during a proceeding, the Commission may impose limitations on an intervenor's participation.<sup>6</sup>

4. The Commission finds that CURB has demonstrated an interest in this proceeding because the rates paid and the services received by residential and small commercial ratepayers may be substantially affected.<sup>7</sup> The Commission therefore grants CURB's Petition for Intervention pursuant to K.S.A. 77-521.

5. CURB will be added to the official service list. Service of pleadings, electronic notices, communications, and correspondence should be delivered to counsel of record and CURB's other designees, as follows:

David Springe #15619  
Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
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[d.springe@curb.kansas.gov](mailto:d.springe@curb.kansas.gov)

Niki Christopher #19311  
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<sup>5</sup> K.S.A. 77-521; K.A.R. 82-1-225.

<sup>6</sup> K.S.A. 77-521(c).

<sup>7</sup> See Petition at ¶ 4.

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

- A. The Commission grants CURB intervention pursuant to K.S.A. 77-521.
- B. The parties have fifteen days, plus three 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.<sup>8</sup>
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it deems necessary.

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

Sievers, Chairman; Wright, Commissioner; Albrecht, Commissioner.

Dated: DEC 03 2013

  
ORDER MAILED DEC 04 2013

Kim Christiansen  
Executive Director

JV/rs

<sup>8</sup> K.S.A. 66-118b; K.S.A. 2013 Supp. 77-529(a)(1).

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
JAMES G. FLAHERTY, ATTORNEY ANDERSON & BYRD, L.L.P. 216 S HICKORY PO BOX 17 OTTAWA, KS 66067		
NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
C. STEVEN RARRICK, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD RD TOPEKA, KS 66604 ***Hand Delivered***		
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SAMUEL FEATHER, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED DEC 04 2013

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
MICHAEL NEELEY, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
JAY VAN BLARICUM, ADVISORY COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED **DEC 04 2013**

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