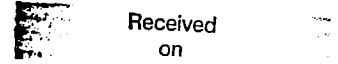


BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Application of Atmos )  
Energy for Adjustment of its Natural Gas Rates )  
in the State of Kansas )

Docket No. 12-ATMG-564-RTS



**AFFIDAVIT OF PUBLICATION**

APR 18 2012

STATE OF KANSAS )  
 ) ss:  
COUNTY OF JOHNSON )

by  
State Corporation Commission  
of Kansas

I, James W. Bartling, of lawful age, being first duly sworn on oath, states:

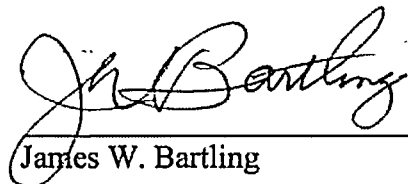
That I am manager public affairs of Atmos Energy ("Atmos");

The Notice of Public Hearing Concerning Natural Gas Service Rate Increase Request describing the public hearing to be held regarding the rate application filed by Atmos in the above-referenced docket was placed in the various newspapers located throughout Atmos' Kansas territory by Kansas Press Association ("KPA").

The newspapers in which the legal notice was published are listed in the Order Confirmation from KPA that is attached hereto as Exhibit A. The Order Confirmation also identifies the dates on which the legal notices were published in each newspaper.

A copy of the legal notice is attached to this Affidavit as Exhibit B. This legal notice was reviewed and approved by the Commission's Office of Public Affairs and Consumer Protection prior to publication.

Further affiant saith naught.

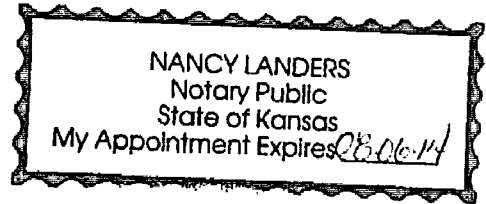
  
James W. Bartling

SUBSCRIBED AND SWORN to before me this 16th day of April, 2012.

Nancy Landers

Notary Public

Appointment/Commission Expires: 08-06-14



James G. Flaherty

James G. Flaherty, #11177  
**ANDERSON & BYRD, LLP**  
216 S. Hickory, P. O. Box 17  
Ottawa, Kansas 66067  
(785) 242-1234, telephone  
(785) 242-1279, facsimile  
Attorneys for Atmos Energy



# Order Confirmation

5423 SW 7th Street  
 Topeka, KS 66606  
 Phone: (785) 271-5304  
 Fax: (785) 271-7341

**Atmos Energy**  
 Jim Bartling  
 25090 W. 110th Terrace  
 Olathe KS 66061

DATE: April 16, 2012  
 CUSTOMER #: 1426  
 ORDER #: 2012 04 004  
 ADVERTISER: Atmos Energy - Notice of Public Hearing  
 AD CAPTION: Atmos Energy - Notice of Public Hearing

KEY	NEWSPAPER NAME	CITY/STATE	RATE	COLUMNS	INCHES	AD SIZE	RUN DATE	AMOUNT
W006	Anthony Republican	Anthony KS	\$6.00	6	10.5	63	4/11/2012	\$378.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$6.00	6	10.5	63	4/18/2012	\$378.00
Y018	World Company Weeklies Combo	Lawrence KS	\$641.00	1	1	1	4/12/2012	\$641.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$641.00	1	1	1	4/19/2012	\$641.00
w023	Caldwell Messenger	Caldwell KS	\$3.45	6	10.5	63	4/11/2012	\$217.35
	<i>Atmos Energy - Notice of Public Hearing</i>		\$3.45	6	10.5	63	4/18/2012	\$217.35
w237	Cedar Vale Lookout	Winfield KS	\$4.67	6	10.5	63	4/12/2012	\$294.21
	<i>Atmos Energy - Notice of Public Hearing</i>		\$4.67	6	10.5	63	4/19/2012	\$294.21
D06	Chanute Tribune	Chanute KS	\$8.54	6	10.5	63	4/11/2012	\$538.02
	<i>Atmos Energy - Notice of Public Hearing</i>		\$8.54	6	10.5	63	4/18/2012	\$538.01
w036	Chase County Leader-News	Cottonwood KS	\$5.75	6	10.5	63	4/12/2012	\$362.25
	<i>Atmos Energy - Notice of Public Hearing</i>		\$5.75	6	10.5	63	4/19/2012	\$362.25
w041	Coffey County Republican	Burlington KS	\$10.53	6	ad issues	0	4/10/2012	\$294.84
	<i>Atmos Energy - Notice of Public Hearing</i>		\$10.53	4	7	28	4/13/2012	\$669.71
			\$10.53	6	10.6	63.6	4/17/2012	
w030	Coffeyville Journal	Coffeyville KS	\$9.08	6	10.5	63	4/11/2012	\$572.04
	<i>Atmos Energy - Notice of Public Hearing</i>		\$9.08	6	10.5	63	4/18/2012	\$572.04
D12	Council Grove Republican	Council Grove KS	\$7.20	6	10.5	63	4/11/2012	\$453.60
	<i>Atmos Energy - Notice of Public Hearing</i>		\$7.20	6	10.5	63	4/18/2012	\$453.60
W060	Eureka Herald	Eureka KS	\$6.00	5	10.5	52.5	4/11/2012	\$315.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$6.00	5	10.5	52.5	4/18/2012	\$315.00
D17	Fort Scott Tribune	Fort Scott KS	\$10.25	6	10.5	63	4/11/2012	\$645.75
	<i>Atmos Energy - Notice of Public Hearing</i>		\$10.25	6	10.5	63	4/18/2012	\$645.75
w065	Gardner News	Gardner KS	\$20.00	6	10.5	63	4/11/2012	\$1260.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$20.00	6	10.5	63	4/18/2012	\$1260.00
w080	Herington Times	Herington KS	\$10.33	6	10.5	63	4/12/2012	\$650.79
	<i>Atmos Energy - Notice of Public Hearing</i>		\$10.33	6	10.5	63	4/19/2012	\$650.79
w079	Hillsboro Free Press	Hillsboro KS	\$14.40	6	10.5	63	4/11/2012	\$907.20
	<i>Atmos Energy - Notice of Public Hearing</i>		\$14.40	6	10.5	63	4/18/2012	\$907.20
D24	Independence Daily Reporter	Independence KS	\$10.47	6	10.5	63	4/11/2012	\$659.61
	<i>Atmos Energy - Notice of Public Hearing</i>		\$10.47	6	10.5	63	4/18/2012	\$659.61
D25	Iola Register	Iola KS	\$11.20	6	10	60	4/11/2012	\$672.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$11.20	6	10	60	4/18/2012	\$672.00



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 AD CAPTION: Atmos Energy - Notice of Public Hearing

KEY	NEWSPAPER NAME	CITY/STATE	RATE	COLUMNS	INCHES	AD SIZE	RUN DATE	AMOUNT
w181	Syracuse Journal	Syracuse KS	\$4.75	6	10.5	63	4/11/2012	\$299.25
	<i>Atmos Energy - Notice of Public Hearing</i>		\$4.75	6	10.5	63	4/18/2012	\$299.25
w184	Ulysses News	Ulysses KS	\$7.33	6	10.5	63	4/12/2012	\$461.79
	<i>Atmos Energy - Notice of Public Hearing</i>		\$7.33	6	10.5	63	4/19/2012	\$461.79
w200	Wilson County Citizen	Fredonia KS	\$6.00	6	10.5	63	4/12/2012	\$378.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$6.00	6	10.5	63	4/19/2012	\$378.00
w203	Wyandotte Daily News	Kansas City KS	\$22.56	5	10	50	4/12/2012	\$1128.00
	<i>Atmos Energy - Notice of Public Hearing</i>		\$22.56	5	10	50	4/19/2012	\$1128.00
w204	Yates Center News	Yates Center KS	\$6.25	6	10.5	63	4/12/2012	\$393.75
	<i>Atmos Energy - Notice of Public Hearing</i>		\$6.25	6	10.5	63	4/19/2012	\$393.75

TOTAL DUE TO KPA: **\$47,665.73**

# NOTICE OF PUBLIC HEARING CONCERNING NATURAL GAS SERVICE RATE INCREASE REQUEST

Atmos Energy (Atmos) has filed an application with the Kansas Corporation Commission (Commission) requesting an annual increase in rates for natural gas service of \$9.7 million or approximately twenty percent (20%). The requested increase would only affect the portions of a customer's bill that relate to the delivery of gas by Atmos to customers, including the fixed monthly Facility Charge and per hundred cubic feet (Ccf) Commodity Charge.

The rate case does not involve the cost incurred by Atmos to purchase natural gas supplies and to obtain delivery and storage of those supplies from interstate pipelines, which is reflected on your bill as the Purchased Gas Adjustment (PGA). The cost to purchase natural gas supplies is not regulated and is subject to market forces, such as, supply and demand, storage volumes, and weather. The cost to obtain delivery and storage of those natural gas supplies from interstate pipelines is regulated by the Federal Energy Regulatory Commission in Washington, D.C.

## ATMOS' PROPOSAL

Under the company's proposal, overall rates for natural gas service would increase by \$9.7 million. Atmos' last rate increase of \$3.855 million was approved on July 30, 2010.

For residential customers, Atmos has requested an overall increase that will increase the average monthly bill approximately \$5.36 per month, which is a 21.7% increase. This includes a request to increase the monthly Facility Charge from \$15.50 per month to \$19.00 per month, and an increase in the Commodity Charge from \$.12953 per Ccf to \$.15576 per Ccf for all residential customers. Note: The average residential customer uses 852 Ccf per year.

For commercial customers, Atmos has requested an overall increase that will increase the average monthly bill approximately \$14.25, which is a 19.6% increase. This includes a request to increase the monthly Facility Charge from \$37.00 per month to \$44.00 per month, and an increase in the Commodity Charge from \$.12953 per Ccf to \$.15576 per Ccf for all general service customers.

In its application, Atmos said the increase was necessary because while rates have not increased for some time, the company has continued to make investments in its system to provide safe, reliable and efficient natural gas service to its customers. The company further stated it has experienced increases in wages, medical expenses, and material and supplier costs.

Atmos' corporate office is located in Dallas, Texas. It is one of the largest pure natural gas distribution companies in the United States, supplying natural gas service to over 3 million customers in 12 states. In Kansas, Atmos provides natural gas service to approximately 128,000 customers. **ABOUT THE COMMISSION:** The Commission regulates public utilities including home telephone, natural gas, electric and water companies, as well as motor carriers, oil and gas pipeline, and oil and gas producers. The Commission's regulatory oversight of public utilities primarily pertains to rates and terms of service. In order to ensure that customers of regulated utilities are provided sufficient and efficient service at just and reasonable rates; utilities may not change their rates without Commission approval.

## PUBLIC HEARING

The Commission has scheduled a public hearing to allow Atmos customers the opportunity to ask questions and make comments about the proposal. The public hearing is scheduled for:

Wednesday, April 25, 2012, Beginning at 6 p.m.  
Olathe City Hall, Council Chambers  
100 E. Santa Fe, Olathe, Kansas 66061

Video conferencing technology will be used to allow Atmos customers in other areas of the state an opportunity to address the Commission. The locations for video conferencing are:

Independence Community College, Academic Building, Room AC 104  
1057 W. College Ave., Independence, Kansas 67301

Hillsboro High School  
500 East Grand Avenue, Hillsboro, KS 67063

Ulysses High School, I.T.V. Conference Room  
501 North McCall Street, Ulysses, Kansas 67880

Any person requiring special accommodations at any of the hearing sites under the Americans with Disabilities Act needs to give notice to the Commission at least 10 days prior to the scheduled hearing date by calling (785)271-3140.

## PUBLIC COMMENT PERIOD

The Commission will also accept written comments from Atmos customers through July 11, 2012. Comments regarding the case should reference Docket No. 12-ATMG-564-RTS and may be sent to the Kansas Corporation Commission, Office of Public Affairs and Consumer Protection, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, or emailed to [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov), or you may call 1-800-662-0027.

## EVIDENTIARY HEARING

The Commission will conduct an evidentiary hearing on the Atmos rate increase request beginning July 16, 2012, at 9:00 a.m. in the first floor hearing room at its Topeka office. At this hearing Commission staff, Atmos representatives, and Citizens' Utility Ratepayer Board ("CURB") will present their case to the Commission. The Commission must issue a decision by September 24, 2012.

## ADDITIONAL INFORMATION

A complete copy of Atmos' application and supporting testimony is available on the Commission's website at: <http://kcc.ks.gov>, searching Docket Filings for Docket No. 12-ATMG-564-RTS. If you need additional assistance or more information about the requested rate increase or the public hearing, contact the Commission's Office of Public Affairs and Consumer Protection at 1-800-662-0027, or [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov).

LAW OFFICES OF  
*ANDERSON & BYRD*

*A Limited Liability Partnership*

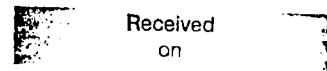
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ROBERT A. ANDERSON  
(1920-1994)  
RICHARD C. BYRD  
(1920-2008)

April 18, 2012

Ms. Patrice Petersen-Klein  
Executive Director  
Kansas Corporation Commission  
1500 S. W. Arrowhead Road  
Topeka, Kansas 66604-4027



'APR 18 2012

Re: Atmos Energy  
Docket No. 12-ATMG-564-RTS

by  
State Corporation Commission  
of Kansas

Dear Ms. Petersen-Klein:

Please file the enclosed Affidavit of Mailing and Affidavit of Publication on behalf of Atmos Energy in the above captioned matter. I would appreciate receiving a file stamped copy of this cover letter as well as a file stamped copy of each document for my files. An envelope is included for your convenience.

Thank you for your assistance. If you have any questions, please call.

Sincerely,

*James G. Flaherty*

James G. Flaherty  
[jflaherty@andersonbyrd.com](mailto:jflaherty@andersonbyrd.com)

JGF:rr  
Enclosure

ecc: Niki Christopher  
C. Steven Rarrick  
Della Smith  
Shonda Smith  
David R. Springe  
Ray Bergmeier  
Brian G. Fedotin  
Holly L. Fisher  
Robert A. Fox