

Decision No. C23-0867

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 22AL-0348G

IN THE MATTER OF ADVICE LETTER NO. 584 FILED BY ATMOS ENERGY CORPORATION TO REVISE ITS COLORADO P.U.C. NO. 7 TARIFF TO PLACE INTO EFFECT CHANGES TO THE COMPANY'S ANNUAL REVENUES AND RECOVERY OF RATE CASE EXPENSES, TO BECOME EFFECTIVE SEPTEMBER 5, 2022.

PROCEEDING NO. 23AL-0235G

IN THE MATTER OF COMPLIANCE ADVICE LETTER NO. 595 FILED BY ATMOS ENERGY CORPORATION IN COMPLIANCE WITH DECISION NO. C23-0293 IN PROCEEDING NO. 22AL-0348G TO IMPLEMENT A BASE RATE REVENUE REQUIREMENT TO DECREASE EXPENSES, TO BECOME EFFECTIVE MAY 13, 2023.

**COMMISSION DECISION ADDRESSING STORED GAS
COST RECOVERY AND ADOPTING RECOMMENDED
DECISION WITH MODIFICATIONS**

Mailed Date: December 27, 2023

Adopted Date: December 13, 2023

I. BY THE COMMISSION

A. Statement

1. By this Decision the Commission authorizes recovery of stored gas costs through Atmos Energy Corporation's (Atmos) Gas Cost Adjustment (GCA) and adopts Decision No. R23-0755 (Recommended Decision) with minor modifications.

B. Background

2. By Decision No. C23-0414, the Commission remanded this consolidated proceeding to the Administrative Law Judge (ALJ) to address two unresolved issues: one related

to the recovery of stored gas through Atmos' GCA, and the other regarding costs collected through its System Safety and Integrity Rider (SSIR). The ALJ considered both issues (as well as a proposed settlement) and issued the Recommended Decision.

3. The Commission stayed the Recommended Decision on its own motion in Decision No. C23-0768, anticipating discussing any points of interest alongside any exceptions that were filed. No parties to this Proceeding filed exceptions.

4. Based on our review of the Recommended Decision and the record in this Proceeding, we find good cause to modify two filing deadlines and otherwise adopt the findings and conclusions of the Recommended Decision in its entirety.

5. The first timing change relates to required GCA filings as discussed in Ordering Paragraph 5 of the Recommended Decision. Rather than the five calendar-day period described in the Recommended Decision, Atmos shall have 14 calendar days from the effective date of this Decision, consistent with the Ordering Paragraphs below.

6. The second relates to the SSIR and Ordering Paragraph 6 of the Recommended Decision. Instead of the ten calendar-day period set forth in the Recommended Decision, Atmos shall have 14 calendar days from the effective date of this Decision, consistent with the Ordering Paragraphs below.

7. Finally, on May 12, 2023, we issued Decision No. C23-0320 in Proceeding No. 23AL-0235G suspending the effective date of Atmos' GCA Tariff Sheet Nos. 5, 6, and 6A filed with Advice Letter No. 595. The Commission's suspension of those GCA tariff sheets resulted in a brief period where there was not a designated cost recovery mechanism for the stored gas costs. To address this rare and temporary gap, we authorize Atmos to collect, using the GCA's deferred

balance reconciliation process, the stored gas costs from the effective date of the tariff sheets suspended in this Proceeding to the effective date of the GCA that implements the modifications to Atmos' GCA calculations in accordance with the Recommended Decision.

II. ORDER

A. The Commission Orders That:

1. The effective date of Tariff Sheet Nos. 5, 6, and 6A filed with Advice Letter No. 595 by Atmos on May 10, 2023, is permanently suspended and shall not be further amended.

2. No later than 14 days from the effective date of this Decision, Atmos Energy Corporation (Atmos) shall file a new advice letter and modified Tariff Sheet Nos. 5 and 6 on not less than two business days' notice in order to place the compliance tariff sheets P.U.C. No. 7 Tariff into effect, consistent with the findings, discussion, and conclusions in this Decision and Decision No. R23-0755. The advice letter and tariff shall be filed as a new Advice Letter proceeding and shall comply with all applicable Commission rules. In calculating the proposed effective date, the date the filing is received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date. The advice letter and tariffs must comply in all substantive respects to this Decision in order to be filed as a compliance filing on shortened notice.

3. Consistent with the discussion above, Atmos is authorized to collect stored gas costs calculated from the effective date of the tariff sheets suspended in this consolidated Proceeding to the effective date of the next change in the Gas Cost Adjustment (GCA) as set forth on Tariff Sheet No. 6A.

4. No later than 14 days from the effective date of this Decision, Atmos shall file a new advice letter and modified tariffs for its System Safety and Integrity Rider on not less than 30

days' notice, consistent with the findings and conclusions in this Decision and Decision No. R23-0755.

5. Based on our review of the Recommended Decision and the record in this Proceeding, we find good cause to adopt the findings and conclusions of the Recommended Decision with only the two modifications discussed above.

6. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

7. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' DELIBERATIONS MEETING
December 13, 2023.**

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners

ATTEST: A TRUE COPY

Rebecca E. White,
Director