

Decision No. R24-0700-I

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

PROCEEDING NO. 24A-0303G

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IN THE MATTER OF THE APPLICATION FILED BY ATMOS ENERGY CORPORATION  
FOR APPROVAL OF ITS 2025-2026 GAS DEMAND-SIDE MANAGEMENT PLAN.

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**INTERIM DECISION  
ADOPTING PROCEDURAL SCHEDULE AND VACATING  
PREHEARING CONFERENCE**

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Issued Date: October 1, 2024

**I. STATEMENT.**

1. On July 8, 2024, Atmos Energy Corporation ("Atmos") filed an Application for approval of its 2025-2026 Gas Demand-Side Management Plan ("Application").

2. Atmos seeks Commission approval to implement six gas efficiency programs to achieve the savings goals established by the Commission in the Company's most recent Demand Side Management ("DSM") Strategic Issues proceeding, Proceeding No. 23A-0216G. The programs, to be implemented in 2025 and 2026, include an Air Sealing and Insulation Program, an Efficient Natural Gas Rebate Program, an Income-Qualified ("IQ") Program, an Energy Efficiency Kits Program, a Home Energy Reports Program, and a Commercial & Industrial Program.

3. Atmos proposes a total budget of \$3,976,728 over the plan period, allocating \$1,927,031 to 2025 and \$2,049,697 to 2026. It estimates 128,701 dekatherms ("Dths") of savings over the plan period ("62,583 Dths in 2025 and 66,118 Dths in 2026"), and estimates 995 Dths of peak day savings ("484 Dths in 2025 and 511 Dths in 2026"). The budget and saving goals were

set forth in the Unanimous Non-Comprehensive Stipulation Settlement Agreement approved by the Commission through Decision No. C24-0221 in Proceeding No. 23A-0216G.

4. The Commission issued a Notice of Application filed on July 11, 2024, setting the deadline for filing of intervention pleadings on or before August 12, 2024.

5. On August 12, 2024, Energy Outreach Colorado (“EOC”) filed its Unopposed Motion to Intervene and Entry of Appearance (“Unopposed Motion”). EOC is a Colorado nonprofit corporation in good standing whose mission is to ensure that income-qualified Colorado households can meet their home energy needs.

6. On August 19, 2024, Trial Staff of the Public Utility Commission (“Staff”) filed its Notice of Intervention as of Right, Entry of Appearance and Notice Pursuant to Rule 1007(a) and Rule 1401, and Request for Hearing.

7. On September 6, 2024, by Decision No. C24-0639-I, the matter was referred to an Administrative Law Judge.

8. On September 16, 2024, by Decision No. R24-0660-I, interventions were granted, and a prehearing conference was scheduled for September 26, 2024.

9. On September 23, 2024, Atmos filed its Unopposed Motion to Adopt Procedural Schedule, Vacate Prehearing Conference and Waiver of Response Time (“Unopposed Motion”).

## **II. UNOPPOSED MOTION**

### **A. Proposed Procedural Schedule and Discovery**

10. In the Unopposed Motion the Parties proposed a procedural schedule. After informal communications with the undersigned ALJ the Parties consented to new dates for

the hearing and the filing of Statements of Position. The adjusted procedural which follows, shall be adopted.

Event	Date
Answer Testimony/Attachments	November 1, 2024
Rebuttal Testimony/Attachments	December 13, 2024
Settlement Agreement/ Stipulations	December 20, 2024
Settlement Testimony	January 6, 2025
Prehearing Motions	January 6, 2025
Corrected Testimony/Attachments	January 9, 2025
Responses to Prehearing Motions	January 10, 2025
Hearing	January 23 & January 24, 2025
Statement of Position	February 10, 2025

11. The Parties have also agreed that the discovery procedures contained in Commission Rule 1405 shall govern this proceeding.

12. The proposed procedural schedule and discovery procedures are acceptable and shall be adopted.

**III. REMOTE EVIDENTIARY HEARING**

13. A hearing in the above captioned proceeding shall be scheduled for January 23 & 24, 2025, at 9:00 a.m. as a remote hearing. At the remote hearing, the parties may call witnesses, present evidence, and make arguments in support of their position. Evidence includes documentary

exhibits, testimony, and other tangible items that a party wishes the ALJ to consider in reaching a decision as to the allegations in this case.

14. Attachment A to this Decision provides the information addressing how to use the Zoom platform for remotely participating in the remote hearing. Attachment B outlines procedures and requirements for marking and formatting exhibits to facilitate the efficient and smooth electronic evidence presentations at the remote hearing. It is extremely important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

15. To minimize the potential that the video-conference part of the hearing may be disrupted by non-participants, the link, meeting ID code, and passcode to attend the hearing will be provided to the participants by email before the hearing, and the participants will be prohibited from distributing that information to anyone not participating in the hearing.

**A. Unified Numbering System for Hearing Exhibits**

16. The Public Utilities Commission Administrative Hearings Section uses box.com to receive and manage exhibits that are first presented in this type of hybrid evidentiary hearing.

17. As such, it is essential that the parties ensure they are able to access and use box.com prior to the evidentiary hearing. To this end, the parties will be provided box.com links and instructions to: (a) upload exhibits for use during the hearing; and (b) download exhibits once they are presented during the hearing.

18. Each party must (a) pre-mark all hearing exhibits with a hearing exhibit number within their assigned number block before uploading the exhibits to the party's designated box.com folder; (b) sequentially page-number each page of exhibits longer than two pages, with the first page number as page 1, regardless of content, before uploading the exhibits to the party's

designated box.com folder; and (c) upload all pre-marked exhibits into each party's respective designated box.com folder prior to the presenting them during the hearing.

19. Attachment B outlines procedures and requirements for marking and formatting exhibits aimed at facilitating efficient and smooth electronic evidence presentations at the remote hearing. It is very important that the parties carefully review and follow all requirements in this Decision and Attachments A and B.

20. To efficiently organize the numbering and preparation of exhibits for the hearing, the parties shall use a unified numbering system for all hearing exhibits. Blocks of hearing exhibit numbers are assigned as follows:

- Atmos is assigned hearing exhibit numbers 100 to 299;
- Staff is assigned hearing exhibit numbers 300 to 399;
- EOC is assigned hearing exhibit numbers 400 to 499;

**IV. ORDER**

**A. It is Ordered That:**

1. The Unopposed Motion to Adopt Procedural Schedule, Vacate Prehearing Conference and Waiver of Response Time (“Unopposed Motion”) is granted consistent with the discussion above.

2. The procedural schedule as stated above is adopted.

3. The prehearing conference scheduled for September 26, 2024, is vacated.

4. Response time to the Unopposed Motion is waived.

5. A remote hearing is scheduled as follows:

DATE: January 23 & 24, 2025

TIME: 9:00 a.m.

PLACE: By video conference: using the Zoom web conferencing platform at a link be provided to the participants by email.

6. The parties and witnesses may not distribute the Zoom link and access code to anyone not participating in the remote hearing.

7. All participants in the hearing must comply with the requirements in Attachments A and B to this Decision, which are incorporated herein and, in the discussion above.

8. All evidence must be presented electronically. Each party is responsible for ensuring that they and their respective witnesses: (a) have access to all pre-filed exhibits; and (b) can download and view documents available from box.com during the hearing.

9. The Parties shall be held to the advisements in this Decision.

10. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ROBERT I. GARVEY

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,  
Director