

Decision No. C25-0180

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 03A-082SG

IN THE MATTER OF THE APPLICATION OF ATMOS ENERGY CORPORATION, 1800 THREE LINCOLN CENTRE, 5430 LBJ FREEWAY, POST OFFICE BOX 650205, DALLAS, TEXAS 75265-0205 FOR AN ORDER AUTHORIZING THE ISSUANCE OF UP TO 1,700,000 SHARES OF COMMON STOCK.

**COMMISSION DECISION GRANTING MOTION
AND CLOSING PROCEEDING**

Issued Date: March 13, 2025

Adopted Date: March 12, 2025

I. BY THE COMMISSION

A. Statement

1. On February 12, 2025, Atmos Energy Corporation (“Atmos Energy” or the “Company”) pursuant to Rules 1003 and 1400, filed an Unopposed Motion (1) to terminate the authority in Decision No. C03-0307 to issue additional stock, (2) for a permanent and full variance from the requirement in Decision No. C03-0307 to provide quarterly status reports identifying the progress in the issuance of stock approved by that decision, and (3) to close this proceeding.

B. Findings of Fact

2. Atmos is a Texas and Virginia corporation qualified to do business within the State of Colorado. Its Articles of Incorporation, as amended and restated, have been filed with the Commission and it is in good standing with the Colorado Secretary of State. Atmos provides gas utility service to various areas in the State of Colorado.

3. On March 6, 2003, Atmos Energy filed with the Commission its Verified Application seeking an order from the Commission authorizing Atmos Energy to issue additional shares of Atmos Energy no par value Common Stock in an amount not to exceed 1,700,000 shares for the purpose of funding Atmos Energy's Pension Account Plan. No one sought intervention or opposed the granting of the application.

4. On March 26, 2003, the Commission issued Decision No. C03-0307 granting Atmos Energy's application. Decision No. C03-0307 provided that "[i]f the authorized shares have not been issued in its entirety within this 60-day period, Atmos Energy Corporation shall provide the Commission with subsequent reports on a quarterly basis."

5. On August 19, 2003, Atmos Energy reported to the Commission the issuance of 1,169,700 shares of common stock, leaving 530,300 shares of stock available under this authority for future issuances. The Company noted that further issuances were not anticipated under this Proceeding.

6. Atmos Energy has not issued any of the remaining 530,300 shares and, as directed in Decision No. C03-0307, has filed quarterly reports documenting no action in this proceeding.

7. Atmos Energy requests that the Commission terminate the authority granted in Decision No. C03-0307 to issue any of the 530,300 shares not already issued.

8. The Company requests a full and complete variance from the requirement in Decision No. C03-0307 to file quarterly reports regarding the number of shares issued and the new owner of those shares.

II. ORDER**A. The Commission Orders That:**

1. The Motion filed by Atmos Energy Corporation (“Atmos” or the “Applicant”) on February 12, 2025, to (1) terminating the authority in Decision No. C03-0307 to issue additional stock, (2) for a permanent and full variance from the requirement in Decision No. C03-0307 to provide quarterly status reports identifying its progress in the issuance of stock approved by that decision, and (3) to close this proceeding is granted.

2. The 20-day period provided for in § 40-6-114, C.R.S., within which to file an Application for Rehearing, Reargument, or Reconsideration begins on the first day following the effective date of this Decision.

3. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS’ WEEKLY MEETING
March 12, 2025.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ERIC BLANK

MEGAN M. GILMAN

TOM PLANT

Commissioners

