

Decision No. C25-0370

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25A-0142G

IN THE MATTER OF ATMOS ENERGY CORPORATION'S APPLICATION FOR AN ORDER APPROVING THE 2024 CLEAN HEAT PLAN COST RECOVERY RIDER TRUE UP.

**COMMISSION DECISION DEEMING APPLICATION
COMPLETE AND GRANTING APPLICATION**

Issued Date: May 14, 2025

Adopted Date: May 7, 2025

I. BY THE COMMISSION

A. Statement

1. By this Decision, the Commission grants the Application for Approval of the 2024 Clean Heat Plan Cost Recovery Rider True Up (“Application”) filed by Atmos Energy Corporation (“Atmos” or the “Company”) on March 31, 2025. This Application is uncontested under Rule 1403 of the Commission’s Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (“CCR”) 723-1.

B. Discussion

2. On March 31, 2025, Atmos filed a verified Application that requests an order from the Commission approving the 2024 Clean Heat Plan Recovery Rider (“CHP Rider”) true-up. The Application is verified by Ms. Kathleen R. Ocanas.

3. On April 1, 2025, the Commission issued its Notice of Application filed that allowed for interventions within 30 days. No interventions were received.

4. The Commission approved a stipulation in Atmos Clean Heat Plan Proceeding by Commission Decision No. R24-0740 (issued October 14, 2024) and Decision No. C24-0875 (issued November 26, 2024), in Proceeding No. 23A-0632G (“Stipulation”). In the Application, Atmos explains that under the Stipulation, the clean heat plan budget amounts shall be recovered from customers each year, with any excess collections recorded in a regulatory liability for future use on clean heat plan resources. The Stipulation established collections of \$877,500 in 2024, increasing to \$3.51 million in 2025 through the CHP Rider.

5. The CHP Rider tariff requires Atmos Energy to file an application and true-up report with the Commission to match applicable CHP Recovery Revenues to the Authorized CHP Recovery Revenues and identify any over/under recovery to be included as the True-up Cost in the next November 1 CHP Rider filing. That report must also include actual CHP expenditures from the prior year, the amount of CHP revenues that will be retained for use in a subsequent year, and the calculation of interest accumulated on any unspent balance.¹

6. For 2024, the Stipulation provided for \$877,500 in cost recovery, but because of the timing of the Commission’s approval of Atmos’ clean heat plan, the Company had \$0 in revenue, resulting in an under-collection of \$877,500. Atmos states that the Stipulation bifurcated the clean heat plan collections and expenditures, so the Company can collect the stipulated budget from customers in earlier years to expend in later years. Therefore, Atmos requests the approval to recover the under-recovered 2024 amount as the true-up cost in 2026 for use against future clean heat plan expenditures.²

¹ Application at ¶ 11.

² *Id.* at ¶¶ 12-13.

7. Atmos has requested that the Commission determine this matter without a hearing as provided for in Rule 1403.

C. Findings and Conclusions

8. Pursuant to § 40-6-109(5), C.R.S., and Rule 4 *Code of Colorado Regulations* (“CCR”) 723-1-1403(a), the Commission “may determine any application ... without a hearing and without further notice, ..., if the application ... is uncontested or unopposed, if a hearing is not requested or required by law, and if the application ... is accompanied by a sworn statement verifying sufficient facts and supported by attachments and/or exhibits that adequately support the filing.” No Petition to Intervene or Notice of Intervention has been filed, and thus the Application is uncontested and will be determined without a hearing and without further notice pursuant to Rule 4 CCR 723-1-1403 of the Commission's Rules of Practice and Procedure.

9. Commission Staff has reviewed the Application and confirmed the adherence to the Stipulation and all terms of Decision No. C24-0875.

10. The Commission deems the Application complete.

11. We find that the Application is in the public interest and should be granted.

II. ORDER

A. The Commission Orders That:

1. The Application for Approval of the 2024 Clean Heat Plan Cost Recovery Rider True Up filed by Atmos Energy Corporation on March 31, 2025, is deemed complete, for purposes of § 40-6-109.5, C.R.S., and is granted consistent with the discussion above.

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

3. This Decision is effective immediately upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
May 7, 2025.**

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners

Rebecca E. White,
Director