

Decision No. R24-0630-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0632G

IN THE MATTER OF THE APPLICATION OF ATMOS ENERGY CORPORATION FOR
APPROVAL OF ITS 2024-2028 CLEAN HEAT PLAN.

**INTERIM DECISION
VACATING HEARING ON THE SETTLEMENT**

Issued Date: September 3, 2024

I. STATEMENT

1. On December 29, 2023, Atmos Energy Corporation (“Atmos Energy”) filed with the Commission its Verified Application (“Application”) seeking approval of its initial Clean Heat Plan (“CHP”). With the Application, Atmos Energy filed testimony and related exhibits. This filing commenced Proceeding No. 23A-0632G.

2. On January 17, 2024, the Office of Utility Consumer Advocate (“UCA”) timely noticed its intervention of right.

3. On February 2, 2024, Trial Staff of the Public Utilities Commission (“Staff”) timely noticed its intervention of right.

4. By Decision No. C24-0149-I, issued March 8, 2024, the Commission, among other things, referred this Proceeding to an Administrative Law Judge (“ALJ”).

5. By Decision No. R24-0208-I, issued April 3, 2024, the ALJ, among other things, adopted a procedural schedule to govern this Proceeding and scheduled an evidentiary hearing for August 13-16, 2024.

6. On August 1, 2024, Atmos Energy filed its Unopposed Motion to Modify Procedural Schedule, Admit Exhibits into Evidence, and for Approval of Stipulation (“Motion”). In the Motion, Atmos Energy stated that Atmos Energy, Staff, and UCA (the “Settling Parties”) entered into a Stipulation and Settlement Agreement, and requested that the evidentiary hearing be vacated, all pre-filed testimony and attachments in this Proceeding be admitted as evidence, and the Settlement Agreement be approved without modification by the Commission. In the Motion, the Settling Parties acknowledge that a hearing on the Settlement may not be necessary.¹

7. By Decision No. R24-0571-I, issued August 8, 2024, the undersigned ALJ admitted all pre-filed testimony and attachments as evidence in this Proceeding, and vacated the evidentiary hearing.

8. By Decision No. R24-0592-I, issued August 15, 2024, the undersigned ALJ, among other things, directed the Settling Parties to file by August 30, 2024 (as appropriate), written responses to the questions/requirement posed in ¶12 of that Decision, or file a revised version of the Unanimous and Comprehensive Stipulation and Settlement Agreement (“Settlement Agreement”), filed by Atmos Energy on August 1, 2024, and/or file revised Settlement Testimony for the Settlement Agreement. Decision No. R24-0592-I also scheduled a hearing on the Settlement Agreement on September 5, 2024. Regarding the Hearing on the Settlement, the ALJ stated that “depending on his assessment of the responses to the questions/requirement posed in [Decision No. R24-0592-I,]” the ALJ may vacate on the Settlement Agreement on September 5, 2024.²

¹ Motion, ¶ 12.

² Decision No. R24-0592-I at pp. 6-7.

9. On August 30, 2024, each of the Settling Parties submitted its respective Supplemental Settlement Testimony in response to the questions/requirement set forth in Decision No. R24-0592-I.

10. Based on the undersigned ALJ's review of each of the Settling Parties' Supplemental Settlement Testimony, the ALJ concludes that a hearing on the Settlement is not necessary. Therefore, the hearing on the Settlement Agreement that was scheduled by Decision No. R24-0592-I for September 5, 2024, will be vacated, as ordered below.

ORDER

A. It Is Ordered That:

1. The Settlement Hearing in the matter that was scheduled by Decision No. R24-0592-I, is vacated.
2. This Decision shall be effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

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

Rebecca E. White,
Director