

RAILROAD COMMISSION OF TEXAS

STATEMENT OF INTENT FILED BY ATMOS ENERGY CORPORATION TO INCREASE UTILITY RATES WITHIN THE UNINCORPORATED AREAS SERVED BY THE ATMOS ENERGY CORP., MID-TEX DIVISION AND PETITION FOR DE NOVO REVIEW OF THE DENIAL OF THE STATEMENT OF INTENT FILED BY ATMOS IN VARIOUS MUNICIPALITIES.

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GAS UTILITIES DOCKET NO. 9762 AND CONSOLIDATED CASES

ORDER ON REHEARING AND ORDER NUNC PRO TUNC

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time period provided by law pursuant to TEX. GOVT. CODE ANN. Chapter 551, et seq. (Vernon 1994 & Supp. 2008).

The Commission issued a Final Order in this docket on June 24, 2008. The parties timely filed motions for rehearing and responses to those motions. The Commission has considered the motions for rehearing, the responses, and the entire record of the case. The motions for rehearing do not raise any issues of law or fact not previously considered by the Commission and are hereby DENIED.

The Final Order contains two clerical errors. First, reference is made in the attached tariffs to the rate review mechanism (RRM). The request for the RRM was withdrawn and all references to the RRM in the tariffs are hereby removed, nunc pro tunc. Second, Finding of Fact No. 51 found that a one day billing lag was reasonable. The incorrect reference in Finding of Fact No. 53 that a 2.72 day billing lag "is reasonable" contradicts the Commissions determination in Finding of Fact No. 51 and is hereby removed, nunc pro tunc.

SIGNED this 25th day of August, 2008.

RAILROAD COMMISSION OF TEXAS



MICHAEL L. WILLIAMS
CHAIRMAN



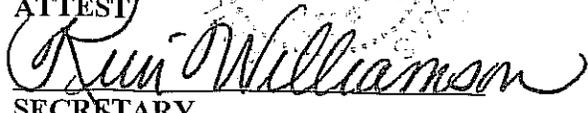
VICTOR G. CARRILLO
COMMISSIONER



ELIZABETH A. JONES
COMMISSIONER



ATTEST


SECRETARY