

**RAILROAD COMMISSION OF TEXAS**

**STATEMENT OF INTENT OF INTENT §  
TO CHANGE THE RATE CGS AND § GAS UTILITIES DOCKET No. 10000  
RATE PT OF ATMOS PIPELINE - §  
TEXAS §**

**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. GOV'T CODE ANN. CHAP 551, *et seq.* (Vernon 2004 & Supp. 2010). The Railroad Commission finds that, due to a clerical error, the Final Order entered on April 18, 2011 incorrectly stated certain figures referenced in the underlying schedules, attached to that Final Order. Additionally, the approved Rider Rev Tariff included an incorrect reference. Accordingly, it is **ORDERED** that findings of fact 122 through 125 are hereby amended *nunc pro tunc* as set out below and the Rider Rev tariff is also corrected *nunc pro tunc* as attached to this order:

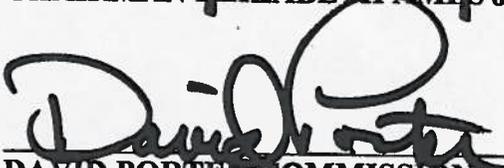
122. Atmos Pipeline – Texas has established that the cost of service without application of a revenue credit for revenues from non-regulated customers would be \$226,772,532.
123. The rates necessary to recover \$226,772,532 would be as follows:
- a. Rate CGS – Mid-Tex: Capacity Charge per MDQ, 6.2984 per MMBtu of MDQ, Mid – Tex WGIS Charge, \$0.8134 per MMBtu of MDQ, and a Usage Charge per MMBtu \$0.0276.
  - b. Rate CGS – CoServ: Capacity Charge per MDQ, 6.2984, and a Usage Charge per MMBtu, \$0.0276.
  - c. Rate CGS – City of Rising Star and West Texas Gas: Capacity Charge per MDQ, 6.2984 and a Usage Charge per MMBtu of \$0.0276.
  - d. Rate PT: Capacity Charge, 4.0732, Usage Charge \$0.0163.
124. Atmos Pipeline – Texas has established that revenues from the non-regulated customers, Other Revenues are \$83,723,391.63. Thus, the rates must be adjusted to allow recovery of \$143,049,141.
125. The rates necessary to recover \$143,049,141 are as follows:
- a. Rate CGS – Mid-Tex: Capacity Charge per MDQ, 3.6263 per MMBtu of MDQ, Mid – Tex WGIS Charge, \$0.8134 per MMBtu of MDQ, and a Usage Charge per MMBtu \$0.0276.
  - b. Rate CGS – CoServ: Capacity Charge per MDQ, 3.6263, and a Usage Charge per MMBtu, \$0.0276.

- c. Rate CGS – City of Rising Star and West Texas Gas: Capacity Charge per MDQ, 3.6263 and a Usage Charge per MMBtu of \$0.0276.
- d. Rate PT: Capacity Charge, 2.3061, Usage Charge \$0.0163.

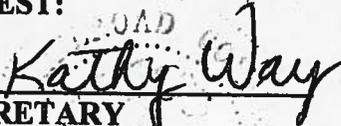
SIGNED this 27th day of June, 2011.

**RAILROAD COMMISSION OF TEXAS**

  
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CHAIRMAN ELIZABETH AMES JONES

  
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DAVID PORTER COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
SECRETARY



<b>RIDER:</b>	<b>REV – REVENUE ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Rate CGS – Mid-Tex, Rate CGS – Other and Rate PT</b>	
<b>EFFECTIVE DATE:</b>		<b>PAGE: 16</b>

**Applicability**

This Rider will apply to Rate CGS – Mid-Tex, Rider CGS - Other and Rate PT.

**Adjustment Mechanism**

Effective each November 1, rate schedules subject to this Rider will be adjusted based on the change in 1) the level of Other Revenue for the twelve-month period from July 1 of the prior year through June 30 of the current year from 2) the level of Other Revenue credited to the total cost of service in GUD Docket No. 10000.

Seventy-five percent of the difference between 1) the level of Other Revenue for the twelve-month period from July 1 of the prior year through June 30 of the current year less revenue related taxes and 2) the level of Other Revenue credited to the total cost of service in GUD Docket No. 10000 less revenue related taxes shall be allocated to the Rate CGS class and the Rate PT class in the same proportion as the Other Revenue was allocated to each class in GUD Docket No. 10000, as determined from the dollar amounts for Other Revenue Credit On Schedule J to the Final Order in GUD No. 10000, Columns (d) and (e), Line 6 for each class, respectively, as compared to the Total System Other Revenue Credit on Schedule J, Column (c), Line 6. The allocated portion of the difference in Other Revenue for each class shall be divided by the then current MDQ for such class, and that result shall be divided by 12 to calculate a monthly amount. The resulting amount shall be added to or subtracted from the capacity charge for each class.

Such adjusted capacity charge will then be adjusted for any Interim Rate Adjustments approved by the Commission after the issuance of the Final Order in GUD Docket No. 10000.

**Adjustment Review Process**

No later than August 15<sup>th</sup> of each year, Atmos Pipeline – Texas shall file with the Commission an "Other Revenue Adjustment" Report showing the following:

1. The actual Other Revenue billed by APT during the twelve-month period from July 1 of the prior year through June 30 of the current year by FERC Account;
2. A listing of the customers in the Other Revenue class by coded reference showing monthly volumes and monthly revenues for each customer;
3. The then current MDQ for each class (CGS and PT);
4. The Other Revenue allocation percentages for each class derived from Schedule J;
5. The calculations described in the Adjustment Mechanism Section of this Rider REV and supporting schedules;
6. A confidential cross reference listing of the Customer codes and names (for Railroad Commission Staff only);
7. A statement on whether or not the proposed adjustment would generate additional revenue of more than 2 ½% of Atmos Pipeline – Texas' annual per books revenue for the twelve-month period ending on June 30 of the current year; and
8. Proposed tariffs showing the proposed adjusted rates.

Atmos Pipeline – Texas shall provide notice to all directly affected customers by bill insert or direct mail within 30 days of the date of the filing of the Other Revenue Adjustment Report. The notice shall provide the customers with the proposed adjustment and contact information on where the customer can inspect a copy of the filing.

<b>RIDER:</b>	<b>REV – REVENUE ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Rate CGS – Mid-Tex, Rate CGS – Other and Rate PT</b>	
<b>EFFECTIVE DATE:</b>		<b>PAGE: 17</b>

The Commission shall have the opportunity to review the Other Revenue Adjustment Report and may submit discovery requests until the 40<sup>th</sup> day following the filing date of the Other Revenue Adjustment Report. Directly affected customers may also submit discovery requests until that date. The Commission shall advise Atmos Pipeline – Texas of its intent to approve, adjust or deny the proposed Other Revenue Adjustment on or before the 10<sup>th</sup> day before November 1 of the current year. Atmos Pipeline – Texas shall have the right to appeal the commission's decision by filing a Motion for Rehearing with the Commission within 20 days following the issuance of the Commission's decision.

Atmos Pipeline – Texas shall promptly reimburse the Commission for the cost of reviewing each Other Revenue Adjustment Report upon the invoicing of such cost.

The Other Revenue Adjustment, as adjusted by the Commission, shall be implemented on November 1, of the current year and shall remain in effect until revised on the following November 1<sup>st</sup>.

This Rider REV will expire on the fourth November 1<sup>st</sup> following its effective date unless an extension of Rider REV for an additional 3-year period is approved by the Commission. Atmos Pipeline – Texas may request an extension by filing such request with the third Other Revenue Adjustment Report. The request shall include a statement on how Rate CGS and Rate PT customers have benefited from the use of Rider REV, information on the number of customers gained or lost, the annual volumes and revenues for each of the three years on which adjustments have been based, the number of customers who have shifted from Rate PT to Other Revenue, and the number of customers who have shifted from Other Revenue to Rate PT.