

RAILROAD COMMISSION OF TEXAS

OVERSIGHT AND SAFETY DIVISION

**GAS UTILITIES
INFORMATION BULLETIN**

No. 1067



**Christi Craddick, Chairman
Ryan Sitton, Commissioner
Wayne Christian, Commissioner**

**Kari French
Director
Oversight and Safety Division**

September 15, 2017

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September 15, 2017

SECTION 1

NEW APPEALS AND APPLICATIONS FILED

DOCKET NO. -- **10652**
CAPTION -- Application of Atmos Pipeline – Texas for Test Year 2016 Annual Interim Rate Adjustment Filing.
DATE FILED -- 09/01/2017
FILED BY -- Charles R. Yarbrough II
EXAMINER -- Kari French
TECHNICAL -- Frank Tomicek

DOCKET NO. -- **10653**
CAPTION -- Inquiry into the Failure of CenterPoint Energy Entex to Comply with Safety Standards.
DATE FILED -- 09/06/2017
FILED BY -- Commission’s Own Motion
EXAMINER --
TECHNICAL --

SECTION 2

APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE

[Office of General Counsel Weekly Hearing Schedules for 2017](#)

**BEFORE THE
RAILROAD COMMISSION OF TEXAS**

PETITION FOR DE NOVO REVIEW OF THE DENIAL BY THE CITY OF DALLAS OF THE DALLAS ANNUAL RATE REVIEW MECHANISM TARIFF FILED BY ATMOS ENERGY MID-TEX DIVISION	§ § § § § § § §	GAS UTILITIES DOCKET NO. 10640
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NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On May 26, 2017, Atmos Energy Corp., Mid-Tex Division filed with the Railroad Commission of Texas (“Commission”) a Petition for De Novo Review of the Denial by the City of Dallas of the Dallas Annual Rate Review Mechanism Tariff, which was docketed as indicated above. In its petition, Atmos requests the Commission issue an order adopting a schedule of rates for residential, commercial, industrial and transport customers in the City of Dallas that is consistent with the rates proposed by Atmos in its Dallas Annual Rate Review Tariff, as well as any further legal, equitable and necessary relief to which Atmos may be entitled.

Intervening Parties. The City of Dallas is the only intervenor in this docket.

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in—or relevant to— Atmos Energy Corp., Mid-Tex Division’s Petition for De Novo Review. The issues that may be addressed at the hearing include, but are not limited to, the following:

1. The legality and effect the Petition for De Novo Review of the Denial by the City of Dallas of the Dallas Annual Rate Review Mechanism Tariff filed with the Commission;
2. The justness and reasonableness of Atmos Energy Corp., Mid-Tex Division's proposed rates, operations, services, and tariffs, including the rate review mechanism at issue in this proceeding;
3. The safety, adequacy, efficiency, and reasonableness of services provided by Atmos Energy Corp., Mid-Tex Division;
4. Atmos Energy Corp., Mid-Tex Division's compliance with all applicable statutes, rules, orders, duties, direction, or requirements of the Commission, enforced by the Commission, or imposed by the Commission;
5. Whether any changes should be imposed on any existing tariffs;
6. Whether the changes in rates and services proposed by Atmos Energy Corp., Mid-Tex Division are unreasonably preferential, prejudicial, or discriminatory, and whether they are sufficient, equitable, and consistent in application to each class of customer, in compliance with applicable provisions of the Texas Utilities Code;
7. Any other issues raised in the pleadings, evidence, or argument that are necessary for the Commission to render a final decision on the merits of this proceeding.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over Atmos Energy Corp., Mid-Tex Division and the matters at issue in this proceeding pursuant to GURA Sections 102.001 (Railroad Commission Jurisdiction), 103.051 (Appeal by Party), 103.054 (Filing an Appeal), 103.055 (Applicability of Rates), and 104.001 (Authorization to Establish and Regulate Rates), and/or pursuant to GURA Sections 121.051 (Gas Utility: Public Interest and Jurisdiction of Railroad Commission), 121.052 (Pipelines: Monopolies Subject to Railroad Commission), and 121.151 (Railroad Commission Regulation of Gas Pipelines). The Administrative Law Judges and the Technical Examiners shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, and other applicable authority.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include, but are not limited to, the following:

1. All sections in GURA Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines); and
2. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

Time, Place, and Nature of Hearing. **IT IS DIRECTED** that the hearing on the merits shall commence at **9:00 a.m. on Tuesday, September 26, 2017**, at the Commission's offices in the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas, 1st floor, room 1-111. If the hearing is not concluded on the day it commences, the hearing will be continued from day to day, as announced until concluded.

IT IS FURTHER DIRECTED that all parties intending to present sworn testimony, documentary and demonstrative evidence, and argument regarding any issue of law or fact at the final hearing on the merits **SHALL**

appear in person or by an attorney. For good cause shown, the Administrative Law Judge may permit part of the proceeding to be conducted telephonically pursuant to Commission Rule § 1.112 (Proceedings by Telephony).

Written Transcript of the Hearing. The record of the hearing will be made by stenographic transcription by the court reporter. Any party that desires a copy of the written transcript of the hearing should contact the court reporter at (512) 282-0313. The Commission may assess the cost of the transcript or expedited transcript to one or more parties pursuant to Section 2001.059 (Transcript) of the Texas Government Code.

Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information – *In accordance with Tex. Gov't Code §2001.061 and 16 Tex. Admin. Code § 1.6, ex parte communications with the Administrative Law Judges, Examiners, and Commissioners are prohibited. Any persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Capitol Station, and Austin, Texas 78711-2967. Any persons or entities having clerical questions, such as questions regarding the number of copies of filings, the service list or reviewing the record, may contact, Docket Services, at (512) 463-6848.*

Dana Avant Lewis
Administrative Law Judge

SECTION 3**STATUS OF PENDING CASES**

None at this time.

SECTION 4**NOTICES OF DISMISSAL**

None at this time.

SECTION 5**ORDERS OF THE COMMISSION**

None at this time.

SECTION 6**MISCELLANEOUS**

Kari French, OVERSIGHT AND SAFETY DIRECTOR

1. OFFICE OF THE DIRECTOR**A. Publications**

1. Texas Utilities Code Titles 3 and 4. Now available at the State of Texas' website at:

<http://www.statutes.legis.state.tx.us>

Special Rules of Practice and Procedure and Substantive Rules. Now available via the Commission's website at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7)

2. Annual Report for Fiscal Year – Now available via the Commission's website at:

<http://www.rrc.texas.gov/gas-services/publications-statistics/2016-statistical-reports/>

3. Six MCF Monthly Residential Gas Bill Analysis for Twenty-five Texas Cities - Now available via the Commission's website at:

<http://www.rrc.texas.gov/gas-services/publications-statistics/six-mcf-report/>

B. Interest Rate on Customer Deposits

We have been advised by the Public Utility Commission that the interest rate to be applied to customer deposits in calendar year 2017 is 0.42%. All gas utilities should use 0.11% for the calendar year 2016 and 0.07% for calendar year 2015.

2. UTILITY AUDIT SECTION

- A. Maintains headquarters and three district offices as follows:
Headquarters - William B. Travis Building

September 15, 2017

1701 North Congress, P. O. Box 12967, Austin, Texas 78701 Ed Abrahamson, Director, Utility Audit Section Pearl Rodriguez, Program Specialist Stephanie Arias, Accounting Technician	Telephone (512) 463-7022 Fax (512) 475-3180
Fort Worth - City Hall 13th Street Annex, 401 W. 13 th St Suite B Josh Settle, Senior Auditor Yolandra Davis, Senior Auditor	Telephone (817) 882-8966 Fax (817) 882-8951
Austin District - P. O. Box 12967, Austin, Texas 78711-2967 Stephen Cooper, Advising Auditor	Telephone (512) 463-7119
Houston District - 1706 Seamist Drive, Suite 501 Houston, TX 77008-3135 Margie Stoney, Project Auditor Larry Alcorn, Auditor Dale Francis, Senior Auditor Konata Uzoma, Senior Auditor Vonetta Jackson, Auditor	Telephone (713) 869-8425 Fax (713) 869-3219

B. Gas Utility Tax, Annual Reports and Audit Reports

1. Questions relating to gas utility tax, call Pearl Rodriguez at (512) 463-7022.
2. Questions relating to annual reports, call Pearl Rodriguez at (512) 463-7022.
3. Inquiries relating to audit reports, call Pearl Rodriguez at (512) 463-7022.

C. Available Information

Gas Utility Annual Reports - Now available via Commission's website at:

<https://rrcsearch3.neubus.com/esd3-rrc/index.php? module =esd& action =keysearch&profile=13>

Information relating to any of the above, are available for review at the William B. Travis Building, Gas Services Department, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of seven to ten business days for completion of requests. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022, or Fax your request to (512) 475-3180.

3. MARKET OVERSIGHT**A. Maintains the following office to assist you:**

Headquarters - William B. Travis Building 1701 North Congress, P.O. Box 12967, Austin, Texas 78711 Mark Evarts, Director	Telephone (512) 463-7167
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B. Gas Utilities Information Bulletin

Published on the Commission's website at:

<http://www.rrc.texas.gov/gas-services/publications-statistics/gas-utilities-information-bulletins/>

C. Proposals For Decision

Published on the Commission's web site at:

<http://www.rrc.texas.gov/hearings/dockets/gas-utility-dockets/>

- D. Tariff Filings**
Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Claudia Godoy, Andrea Matamoros, Virgie Frausto, or Sheila Mendoza at (512) 463-7167.
- E. Curtailments**
Curtailment questions should be referred to (512) 463-7167 or by email at naturalgascurtailment@rrc.texas.gov. Curtailment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7167. Curtailment reports made during hours other than those specified above and holidays, should be made to (512) 463-6788.
- F. Compliance Filings**
Questions regarding gas utilities docket compliance filing requirements should be referred to Christina Poole at (512) 463-7167 or by email at GUD_Compliance@rrc.texas.gov.
- G. Complaints and Inquiries**
All complaints and inquiries relating to the gas utility industry should be directed to the Market Oversight Section at (512) 463-7164 or by email at gascomplaints@rrc.texas.gov.
- H. Pending RRC Rules and Regulations:**

4. HEARINGS AND LEGAL ANALYSIS

- A. Miscellaneous**
Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the General Counsel Division at (512) 463-7149.
- B. Status of Pending Cases**
The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the General Counsel Division at (512) 463-7149.