



GAS UTILITIES INFORMATION BULLETIN

No. 1123

Wayne Christian, Chairman

Christi Craddick, Commissioner

Ryan Sitton, Commissioner

JANUARY 15, 2020
OVERSIGHT AND SAFETY DIVISION
Kari French, Director

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SECTION 1: NEW APPEALS AND APPLICATIONS FILED

None currently.

**SECTION 2: APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING
CONFERENCE**

[Office of General Counsel Weekly Hearing Schedules for 2020](#)

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

STATEMENT OF INTENT OF ATMOS	§	
ENERGY CORPORATION, WEST	§	GAS UTILITIES DOCKET
TEXAS DIVISION, TO ESTABLISH	§	NO. 10900,
COST-BASED RATES FOR THE	§	<i>Consolidated</i>
TRIANGLE DISTRIBUTION SYSTEM	§	

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On September 27, 2019, Atmos Energy Corporation, West Texas Division (“Atmos”) filed with the Commission a statement of intent to establish cost-based rates for its Triangle Distribution System (the “SOI”). The SOI was docketed as GUD No. 10900. In its SOI filing, Atmos requests that the Commission: **(1)** establish cost-based rates for its Triangle Distribution System that will increase total base revenue for service provided on the Triangle by approximately \$266,146; **(2)** approve related Quality of Service Rules, a Franchise Fee Tariff, and a Pipeline Safety Fee Tariff; **(3)** make a prudence determination for all capital investment made in the Triangle system through March 31, 2019; **(4)** establish a baseline for future interim rate (“IRA”) filings; **(5)** authorize a System Safety and integrity (“SSI”) Regulatory Asset that will track certain operations and maintenance expenses associated with facility reclassification or other activities necessary to comply with state or federal regulations relating to natural gas pipeline safety and integrity; and **(6)** approve recovery by Atmos of the reasonable rate case expenses associated with this filing.

Subsequently, Staff of the Railroad Commission (“Staff”) intervened, as well as the Steering Committee of Cities Served by Atmos West Texas (“West Texas Cities”). Certain cities separately intervened and requested alignment with West Texas Cities, including: Abernathy, Canyon, Crosbyton, Dimmitt, Hereford, Lamesa, Levelland, Littlefield, Midland, Muleshoe, Olton, Pampa, Panhandle, Plainview, Ralls, Seminole, Shallowater, Silverton, Sudan, Tahoka, Timbercreek Canyon, Village of Tanglewood, Wellman, and Wilson.

On October 16, 2019, the Administrative Law Judge (“ALJ”) severed consideration of associated rate case expenses into a separate docket, GUD No. 10907.

On November 7, 2019, Atmos filed a related petition for review from action taken by the City of Hereford, which denied Atmos’s request at the municipal level. This appeal was docketed as GUD No. 10915. On November 21, 2019, the ALJ granted an unopposed motion by Atmos to consolidate GUD No. 10915 (the appeal) with GUD No. 10900 (the SOI).

On December 18, 2019, Atmos notified the Hearings Division that the parties reached a settlement in principle resolving all issues in this proceeding.

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’s requested relief. The scope of the hearing may be limited to the parties’ settlement agreement, which may include associated rate case expenses.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over Atmos and the matters at issue in this proceeding pursuant to Texas Utilities Code Sections 102.001 (Railroad Commission Jurisdiction), 103.003 (Surrender of Municipal Jurisdiction to Railroad Commission; Reinstatement of Jurisdiction), 103.051 (Appeal by Party), 103.052 (Appeal by Residents), 103.053 (Appeal by Ratepayers Outside Municipality), 104.001 (Authorization to Establish and Regulate Rates), 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 presiding ALJ 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 Texas Utilities Code 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 **9:30 a.m. on Monday, February 3, 2020**, in the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services (room 12-123) the morning of the hearing for the room location. 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 desiring 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

ALJ 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 Commissioners, Administrative Law Judges, and Technical Examiners 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, 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.*

Signed on January 13, 2020.

JOHN B. DODSON
ADMINISTRATIVE LAW JUDGE

SECTION 3: STATUS OF PENDING CASES

None currently.

SECTION 4: NOTICES OF DISMISSAL

None currently.

SECTION 5: ORDERS OF THE COMMISSION

None currently.

SECTION 6: MISCELLANEOUS

A. Gas Services Department Publications and Statistics

1. Gas Utilities Information Bulletins available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-utilities-information-bulletins/>.
2. Rate Review Handbook available at <http://www.rrc.state.tx.us/media/41964/rate-review-handbook-2017.pdf>.
3. Gas Utilities Annual Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/2017-gas-utility-annual-statistical-reports/>.
4. Gas Storage Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-storage-statistics/>.
5. Six MCF Residential Gas Bill Analysis for Texas Cities available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/six-mcf-report/>.

B. Interest Rate on Customer Deposits

1. We have been advised by the Public Utility Commission of Texas that the interest rate to be applied to customer deposits in calendar year 2018 is 0.91%. All gas utilities should use 0.42% for the calendar year 2017 and 0.11% for calendar year 2016. This information can be found at: <https://www.puc.texas.gov/industry/electric/reports/HRates/HistRates.pdf>

C. Contact Information

1. **Audit Section's Headquarter and District Offices:**

Headquarter Location:
William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701

Mailing Address:
P. O. Box 12967
Austin, Texas 78711
Telephone 512-463-7167
Fax 512-475-3180

Austin District:
Stephen Cooper, Director, Utility Audit Section
Janeen Metcalf, Compliance Analyst II
Mary Anderson, Compliance Analyst
Telephone: 512-463-7022

Fort Worth District:

City Hall 13th Street Annex
401 West 13th Street, Suite B

Josh Settle, Senior Auditor
Yolandra Davis, Senior Auditor
Telephone: 817-882-8966

Houston District:

1706 Seamist Drive, Suite 50
Houston, Texas 77008

Margie Stoney, Project Auditor
Larry Alcorn, Auditor
Dale Francis, Senior Auditor
Konata Uzoma, Senior Auditor
Vonetta Jackson, Auditor
Telephone: 713-869-8425

2. **Market Oversight Section**

William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701

Mailing Address:

P. O. Box 12967
Austin, Texas 78711

Mark Evarts, Director
Amy Bruce, Financial Analyst
Christina Poole, Financial Analyst
Claudia Godoy, Financial Analyst
Frank Tomicek, Financial Analyst
Sarah Montoya-Foglesong, Financial Analyst
Andrea Maxwell, Research Specialist II Team Lead
Erik Gardner, Customer Service Representative IV
Janet Sims, Customer Service Representative IV
Sheila Mendoza, Research Specialist
Telephone: 512-463-7167

D. Audit Forms

1. Gas Utility Tax and Annual Forms available at <http://www.rrc.state.tx.us/gas-services/forms/>.
2. Copies of Gas Utility Annual Reports available on Neibus at: <https://rrcsearch3.neibus.com/esd3-rrc/index.php?module=esd&action=keysearch&profile=13>.
3. 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 ten business days for completion of requests.

4. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022 or fax your request to 512-475-3180.

E. Market Oversight Section Forms

1. Annual Earnings and Monitoring Report available at <http://www.rrc.texas.gov/media/6085/annualearningsmonitoringreport.pdf>
2. Interim Cost Recovery and Rate Adjustment Report available at <http://www.rrc.texas.gov/media/6084/newinfrastructure.pdf>.

F. Gas Utility Docket Information

1. Orders and Proposals for Decision published on the Commission's web site at: <http://www.rrc.texas.gov/hearings/dockets/gas-utility-dockets/>
2. Gas Utility Dockets available on Neabus at <https://rrcsearch3.neabus.com/esd3-rrc/index.php?module=esd&action=keysearch&profile=14>.

G. Natural Gas Tariff Filings

1. Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Andrea Maxwell, Janet Sims, Sheila Mendoza or Virgie Frausto at (512) 463-7167.
2. Natural Gas Tariffs and Rate Schedules available at <http://www.rrc.texas.gov/gas-services/natural-gas-tariffs-and-rate-schedules/>.

H. Common Carrier Pipeline Tariff Filings

1. Questions pertaining to the filing of common carrier pipeline tariffs should be directed to Sheila Mendoza at 512-463-7023.
2. Common Carrier Pipeline Tariffs available at <http://www.rrc.texas.gov/gas-services/common-carrier-pipeline-tariffs/>.

I. Propane Distribution Systems

1. Propane distribution price cap information is available at: <http://www.rrc.texas.gov/gas-services/propane-distribution-systems/>.

J. Curtailment Plan (Gas Utility Docket 489)

1. Curtailment questions should be referred to 512-463-7167 or by email at naturalgascurtailment@rrc.texas.gov.
2. Curtailment reports made during normal business hours, Monday through Friday 8:00 a.m. to 5:00 p.m., should be made to 512-463-7167.
3. Curtailment reports made after hours or during holidays, should be made to 512-463-6788.

K. Compliance Filings

1. 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.

L. Complaints and Inquiries

1. Residential and Commercial Propane and Natural Gas Complaints should be made at GasComplaints@rrc.texas.gov or by phone at 512-463-7167.
2. Informal Gas Purchasing, Selling, Transportation or Gathering Practice Complaints should be submitted online at <http://www.rrc.texas.gov/gas-services/complaint-filing/informal-gas-transportation-purchase-complaint-preliminary-information-online-form/> or at 512-463-7167.
3. Informal Complaint Preliminary Information form available at <http://www.rrc.texas.gov/media/5671/informal-complaint-preliminary-information.pdf>.

M. Non-Submetered Master Meter Disconnections

1. Municipalities wishing to opt in receiving notice from utilities when non-submetered master metered multifamily property is subject to disconnection of service due to non-payment can do so at <http://www.rrc.texas.gov/gas-services/non-submetered-master-meter-disconnections/>.

N. Texas Utilities Codes

1. Available through the State of Texas website at <http://www.statutes.legis.state.tx.us>.

O. Texas Administrative Codes

1. Available at the State of Texas 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).

P. Pending RRC Rules and Regulations

1. Pending rules and regulations available at <http://www.rrc.state.tx.us/general-counsel/rules/>.

Q. Proposed Form Amendments (PFD):

1. PFDs available at <http://www.rrc.state.tx.us/about-us/resource-center/forms/proposed-form-changes/>.

R. Hearings and Legal Analysis

1. 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.

S. Status of Pending Cases

1. 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.