

**RAILROAD COMMISSION OF TEXAS**

**ATMOS CITIES STEERING COMMITTEE  
PETITION FOR REVIEW OF RATES  
CHARGED BY ATMOS PIPELINE-TEXAS**

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**GAS UTILITIES DOCKET NO. 9917**

**ORDER DISMISSING PETITION FOR RATE REVIEW**

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time provided by law pursuant to TEX. GOV'T CODE ANN. Chapter 551 (Vernon 2008).

Atmos Pipeline-Texas is a utility and is subject to the jurisdiction of the Railroad Commission of Texas ("Commission"). On October 15, 2009, the Atmos Cities Steering Committee ("ACSC"), a coalition composed of 151 municipalities which receive city-gate service from Atmos Pipeline-Texas and whose citizens are affected by Atmos Pipeline-Texas' city-gate rates, filed a petition to initiate a rate review of the city-gate rates charged by Atmos Pipeline-Texas. ACSC has not alleged that Atmos Pipeline-Texas is earning a rate of return greater than 75 basis points above the utility's last approved rate of return. Atmos Pipeline-Texas has made several interim rate adjustments to its city-gate rate under the provisions of TEX. UTIL. CODE ANN. § 104.301 (Vernon 2007 & Supp. 2009) and as a result is required to file a statement of intent with the Commission no later than September 2010. There is no compelling reason to accelerate the rate review process of Atmos Pipeline-Texas' city-gate rate by initiating an early rate inquiry. The Commission has the authority under the provisions of 16 TEX. ADMIN. CODE § 1.126(2) and (6) (2002) to dismiss ACSC's Petition for Review of Rates, with or without prejudice, any proceeding under such conditions and for such reasons as are found to be just and reasonable, including unnecessary duplication of proceedings and if necessary in the interest of justice.

**IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSION OF TEXAS** that the petition for rate review filed by Atmos Cities Steering Committee is hereby **DISMISSED** without prejudice.

SIGNED this 20<sup>th</sup> day of April, 2010.

**RAILROAD COMMISSION OF TEXAS**



**CHAIRMAN VICTOR G. CARRILLO**



**COMMISSIONER ELIZABETH A. JONES**



**COMMISSIONER MICHAEL L. WILLIAMS**

**ATTEST:**

*Deputy*   
**SECRETARY**