ORDINANCE NO. <u>20150521-050</u>

AN ORDINANCE APPROVING REVISED GAS TARIFFS OF ATMOS ENERGY CORPORATION, MID-TEX DIVISION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

The Council finds:

- (A) Under the Gas Utility Regulatory Act, Chapters 101 through 105 of the Texas Utilities Code, the City has exclusive original regulatory jurisdiction over the rates charged, operations, and services provided by Atmos Energy Corporation- Mid-Tex Division (Atmos) within the City.
- (B) The City participates as a member of a coalition of municipalities known as the Atmos Texas Municipalities (ATM) all having original regulatory jurisdictional authority over Atmos rates charged, operations, and services provided to residents of those municipalities.
- (C) The Atmos rate filing, or Rate Review Mechanism (RRM), that it filed with the ATM municipalities in 2014 requesting a system-wide increase of \$45.6 million was, as recommended by ATM's rate experts and counsel, denied by the ATM municipalities and subsequently appealed the Texas Railroad Commission. The hearings examiner, after hearing the appeal, issued a proposal for decision on April 28, 2015 recommending that Atmos receive a system-wide increase of \$42.9 million for its 2014 RRM.
- (D) While the 2014 RRM denial appeal was pending, Atmos filed its 2015 RRM with the City on February 27, 2015, seeking a proposed system-wide increase of \$28.7 million.
- (E) After analyzing data furnished by Atmos and interviewing Atmos management regarding the RRM filings for 2014 and 2015 as informed by the hearing examiner's proposal for decision and likely outcome for final decision by the RRC, ATM's rate experts and counsel recommend that the ATM municipalities settle the 2014 and 2015 RRM rates on terms that permit Atmos to implement a combined \$65.7 million system-wide rate increase in accordance with the attached tariffs, set forth as Attachment A,

along with the proof of revenues set forth as Attachment B, and Attachment C, setting forth the beginning balance for purposes of determining pension and other post-employment benefits to be recovered in the next RRM filing.

PART 2. The tariffs in Attachment A are hereby approved to become effective on June 1, 2015. Attachment B (the proof of revenues) and Attachment C, setting forth the beginning balance for purposes of determining pension and other post-employment benefits to be recovered in the next RRM filing, are approved.

PART 3. A copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Christopher Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1600, Dallas, Texas 75240 and Mr. Alfred R. Herrera, Herrera & Boyle, PLLC, 816 Congress Avenue, Suite 1250, Austin, Texas 78701.

PART 4. This ordinance takes effect on June 1, 2015.

PASSED AND APPROVED	
<u> </u>	§ Ten Mu Steve Adler
APPROVED:Anne L. Morgan Interim City Attorney	ATTEST. Jannette S. Goodall City Clerk

ATTACHMENT A

RATE SCHEDULE:	R - RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount	
Customer Charge per Bill	\$ 18.60 per month	
Rider CEE Surcharge	\$ 0.02 per month ¹	
Total Customer Charge	\$ 18.62 per month	
Commodity Charge – All <u>Ccf</u>	\$0.09931 per Ccf	

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

RATE SCHEDULE:		
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount	
Customer Charge per Bill	\$ 40.00 per month	
Rider CEE Surcharge	\$ 0.00 per month ¹	
Total Customer Charge	\$ 40.00 per month	
Commodity Charge - All Ccf	\$ 0.08020 per Ccf	

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

1 Reference Rider CEE - Conservation And Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2014.

RATE SCHEDULE:	I - INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 700.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu
Next 3,500 MMBtu	\$ 0.2151 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

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RATE SCHEDULE:		
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RATE SCHEDULE: T - TRANSPORTATION		
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount	
Customer Charge per Meter	\$ 700.00 per month	
First 0 MMBtu to 1,500 MMBtu	\$ 0.2937 per MMBtu	
Next 3,500 MMBtu	\$ 0.2151 per MMBtu	
All MMBtu over 5,000 MMBtu	\$ 0.0461 per MMBtu	

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

RATE SCHEDULE:	T - TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2015 PAGE:	

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

RIDER:		
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015 PAGE:	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

		_	(HSF _i	x	(NDD-ADD))							
WNAF _j	=	R _i										
			(BL _i	+	(HSF _i	(HSF _i x)				
Where												
i i	≐	any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification										
WNAFi	=	Weather Normalization Adjustment Factor for the i th rate schedule or classification expressed in cents per Ccf										
R _i	=	Commodity Charge rate of temperature sensitive sales for the i th schedule or classification.										
HSF _i	=	heat sensitive factor for the i th schedule or classification divided by the average bill count in that class										
NDD	=	billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.										
ADD	=	billing cycle actual hea	ting degree day	s.								
Bli	=	base load sales for the bill count in that class	e i th schedule or	classific	ation divi	ded	by the	average				

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

 $WNA_i = WNAF_i \times q_{ii}$

Where q_{ii} is the relevant sales quantity for the jth customer in ith rate schedule.

RIDER:	IT					
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS					
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2015	PAGE:				

Base Use/Heat Use Factors

	Reside	ential	Commercia	<u>ut</u>
	Base use	Heat use	Base use	Heat use
Weather Station	<u>Ccf</u>	Ccf/HDD	<u>Ccf</u>	Ccf/HDD
Abilene	10.22	0.1404	98.80	0.6372
Austin	11.59	0.1443	213.62	0.7922
Dallas	14.12	0.2000	208.11	0.9085
Waco	9.74	0.1387	130.27	0.6351
	• • • •			
Wichita	11.79	0.1476	122.35	0.5772
Falls				

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and a Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATTACHMENT B

Description (a) Total (b) Reference (C) Ling Rate R Rete Characteristics: Customer Charge WP_J-5 \$ 16.55 23 0.09931 WP_J-5 5 Consumption Charge (\$/Ccf) 5 6 7 8 9 10 11 12 13 14 15 16 7 18 19 20 12 22 Schedulc H Schedule I 0.52875 Rider GCR Part A Rider GCR Part B \$ \$ 0.19703 Billing Units (1); WP_J-1 Page 1 Col (b) Ln 11 WP J-1 Page 1 Col (b) Ln 12 17,642,640 613,793,470 Total CCE Proposed Revenue; Customer Charge Consumption Charge Base Revenue Rider GCR Part A Rider GCR Part B Subtotat 327,447,398 80.817,829 408,265,228 430,293,297 160,342,855 998,901,179 Ln 2 times Ln 10 Ln 4 times Ln 11 Ln 14 phus Ln 15 Ln 6 times Ln 11 Ln 7 times Ln 11 Sum Ln 16 through Ln 18 Ln 19 times WP_5.1 axxel cell G37 s -. Revenue Related Taxos 66,195,130 1,065,096,310 Lin 19 plus Lin 20 Total Proposed Revenue- Rate R 5 23 24 25 Notes: 1. See Builing Determinants Study for details Z. Customer charge without Rider GEE Reto C Rate Characteristics: Customer Charge 1234587 WP_J-S 39.87 s Consumption Charge (S/Ccl) s 0.08020 WP J-S Rider GCR Part A Rider GCR Part B 0.52875 0.14156 Schedulo H Schedule I \$ 8 9 10 11 12 13 14 15 18 17 18 19 20 21 22 Billing Units (1); Billis Total CCF WP_J-1 Page 1 Col (b) Ln 11 WP_J-1 Page 1 Col (b) Ln 12 1 460 280 541,288,513 Proposed Revenue: Customer Charge Consumption Charge Base Revenue Rider GCR Part A Rider CCR Part B Subtrat Ln 2 times Ln 10 Ln 4 times Ln 11 Ln 14 plus Ln 15 Ln 6 times Ln 11 Ln 7 times Ln 11 \$ 58,221,364 43,411,339 5 286,206,301 78,623.173 464,462.177 30,778,955 Sum Ln 16 through Ln 18 Ln 19 times WP_5.1 excel cell G37 5 Revenue Related Taxes 495.241,131 Total Proposed Revenue- Rote C \$ Ln 19 plus Ln 20 23 24 25 Notes: 1. See Billing Determinents Study for de 2. Customer charge without Rider CEE Rate I &T detaZa Rele Characteristics; Customer Charge 1 2 3 4 WP J-5 \$ 697.35 Block 1 (\$/MMBTU) Block 2 (\$/MMBTU) Block 3 (\$/MMBTU) 0.2937 0.2151 0.0461 WP_J-5 WP_J-5 WP_J-5 \$ \$ 5 5 8 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Rider GCR Part A Rider GCR Part B 5,1636 0.3121 Schedule H Schedulë i s 5 Billing Units (1), Bills Block 1 Block 2 Block 3 Total MMBTU WP_J-1 Page 3 Col (b) Ln 18 WP_J-1 Page 3 Col (b) Ln 19 WP_J-1 Page 3 Col (b) Ln 20 WP_J-1 Page 3 Col (b) Ln 20 WP_J-1 Rage 3 Col (b) Ln 21 Ln 18 + Ln 19 + Ln 20 9,852 10,927,308 12,321,162 21,351,721 44,600,191 22 23 WP J-1 1,899,515 Salos Volumes 24 25 26 27 28 29 30 31 33 34 35 36 Proposed Revenue: Customer Charge Ln 2 times Ln 17 Ln 4 times Ln 18 Ln 5 times Ln 19 Ln 6 times Ln 20 Sum Ln 26 times Ln 29 Ln 13 times Ln 23 Ln 13 times Ln 23 Ln 30 times Ln 24 Ln 30 times KP_5.1 excel cell G37 6,870,292 5 Customer Charge Block 1 Block 2 Block 3 Base Revenue Rider GCR Part A Rider GCR Part A 3,209,350 2,650,282 2,650.282 984.314 13,714,239 9,808,287 13,920,301 37,442,826 s 5 Subtotal Rovenue Related Taxes 2,481,259 39,924,086 Total Proposed Revenue- Rate I&T ÷ Ln 33 plus Ln 34

ATMOS ENERGY CORP., MID-TEX DIVISION SUMMARY PROOF OF REVENUE AT PROPOSED RATES - BASE RATES TEST YEAR ENDING DECEMBER 31, 2014

ATTACHMENT C

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File Date: February 27, 2015

ATMOS ENERGY CORP., MID-TEX DIVISION PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL TEST YEAR ENDING DECEMBER 31, 2014

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		Shared Services			Mid-Tex Direct						1		
		_			st-Retirement				Supplemental		ost-Retirement		
Line			lon Account				ision Account		ecutive Benefit		Medical Plan		
No.	Description	Pla	an ("PAP")		("FAS 106")	<u>P</u>	lan ("PAP")		Plan ("SERP")	<u> </u>	("FAS 106")	Adj	ustment Total
	(a) ·		(b)		(c)		(d)		(e)		(f)		(g)
1	Fiscal Year 2014 Towers Watson Report (excluding Removed Cost Centers)	\$	6,388,826	-	4,542,023	\$	9,481,670 71,70%	\$	165,758 100.00%	\$	8,736,645 71,70%		
2	Allocation to Mid-Tex		46,26%		46.26%		1.70%		100.00%		/1./0/4	•	
3 4	FY14 Towers Watson Benefit Costs (excluding Removed Cost Centers) Allocated to MTX (Ln 1 x Ln 2) O&M and Capital Allocation Factor	\$	2,955,304 100.00%	\$	2,101,021 100,00%	\$	6,798,531 100.00%	\$	165,758 100.00%	\$	6.264.334 100.00%		<u></u>
5	FY14 Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)	<u>\$</u>	2,955,304	5	2,101,021	\$	6,798,531	\$	165,758	\$	6,264,334	\$	18,284,949
7 8 9	Summary of Costs to Approve:												
10 11 12	Total Pension Account Plan ("PAP") Total Post-Retirement Medical Plan ("FAS 106") Total Supplemental Executive Retirement Plan ("SERP")	\$	2,955,304	s	2,101,021	\$	6,798,531	\$	165,758	\$	6,264,334	\$	9,753,835 8,365,356 165,758
13	Total (Ln 10 + Ln 11 + Ln 12)	\$	2,955,304	\$	2,101,021	\$	6,798,531	\$	165,758	\$	6,264,334	\$	18,284,949
14 15 16	O&M Expense Factor		95.82%		95.82%		43.03%		21.00%		43.03%		
17 18	Expense Portion (Ln 13 x Ln 16)	\$	2,831,859	\$	2,013,260	\$	2,925,600	5	34,809	\$	2,695,721	\$	10,501,250
19 20 21	Capital Factor		4.18%		4.18%		56.97%		79.00%		56.97%		
21 22 23	Capital Portion (Ln 13 x Ln 20)	\$	123,445	\$	87,761	\$	3,872,930	\$	130,949	\$	3,568,614	\$	7,783,699
23	Total (Ln 18 + Ln 22)	\$	2,955,304	\$	2,101,021	\$	6,798,531	\$	165,758	\$	6,264,334	\$	18,284,949

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WP_F-2.3.1 Page 1 of 1

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