

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)	
CORPORATION FOR APPROVAL AND)	
CONFIDENTIAL TREATMENT OF A SPECIAL)	CASE NO.
CONTRACT AND COST ANALYSIS)	2020-00023
INFORMATION SUBMITTED TO THE PUBLIC)	
SERVICE COMMISSION)	

ORDER

Atmos Energy Corporation (Atmos) has filed two motions, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1), requesting that the Commission grant confidential protection indefinitely for materials filed in this matter.

On January 23, 2020, Atmos filed a motion requesting that the Commission grant confidential protection for redacted parts of the special contract, including customer name, customer identifiable information, monetary terms negotiated with each customer, and critical monetary terms therein. In support of its motion, Atmos argues that public disclosure of this information would cause substantial competitive harm to Atmos, and this information is generally recognized as confidential and proprietary.

On March 13, 2020, Atmos filed a motion requesting that the Commission grant confidential protection for its Responses to Commission Staff's First Data Request Item Nos. 1(a), (c) and (d); 5(a); 6; and 7. In support of its motion, Atmos argues that information for which it seeks confidential treatment contains terms and conditions of the special contract as well as customer identities. Atmos argues that public disclosure of

this information would unfairly harm Atmos's competitive position in the marketplace, and this information is generally recognized as confidential and proprietary.

Having considered the motions and the material at issue, the Commission finds that Atmos's redacted parts of the special contract and Responses to Commission Staff's First Data Request Item Nos. 1 (a), (c) and (d); 5(a); 6; and 7 are generally recognized as confidential or proprietary; this material therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

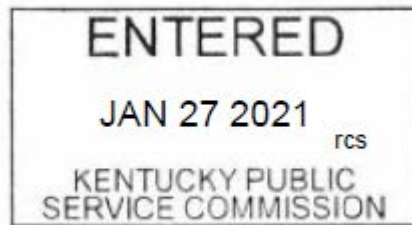
1. Atmos's motions for confidential protection are granted.
2. The designated material shall not be placed in the public record or made available for public inspection indefinitely or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Atmos shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Atmos shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Atmos is unable to make

such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Atmos to seek a remedy afforded by law.

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By the Commission



ATTEST:



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