

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	
CORPORATION TO MODIFY AND EXTEND	)	CASE NO.
ITS DEMAND SIDE MANAGEMENT PROGRAM	)	2008-00499
AND COST RECOVERY MECHANISM	)	

ORDER

On December 2, 2008, Atmos Energy Corporation ("Atmos") filed an application for authorization to extend, with modifications, its Demand Side Management ("DSM") program and its DSM Cost Recovery Mechanism effective January 1, 2009 through December 31, 2011. In the event the Commission cannot complete its review prior to the expiration date of the existing programs, December 31, 2008, Atmos requests that it be allowed to continue the existing DSM program tariffs until such time as the Commission can act on the proposed application.

The Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, ("Attorney General") filed a motion to intervene in this proceeding on December 10, 2008.

The Commission, having reviewed Atmos's application and being otherwise sufficiently advised, finds that to fully consider Atmos's proposed modifications and to afford the Attorney General adequate time to effectively participate in this proceeding, it will be unable to render its final decision in this matter by December 31, 2008. However, we recognize the need for continuity in the administration of Atmos's DSM

programs and will, by this Order, authorize the continuation of the current DSM programs and DSM Cost Recovery Mechanism until a final Order is issued herein.

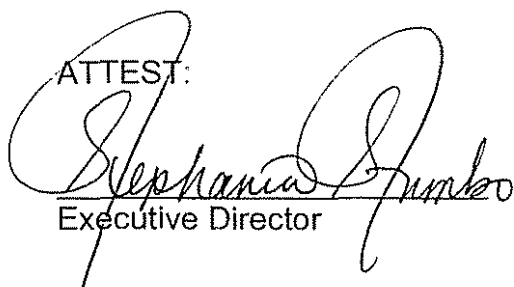
IT IS THEREFORE ORDERED that:

1. Atmos's proposed DSM tariffs are suspended for five months from their proposed effective date of January 1, 2009 up to and including May 31, 2009.
2. Atmos's existing DSM programs and DSM tariff riders shall remain in effect pending the Commission's final Order in this proceeding.

Done at Frankfort, Kentucky, this 18th day of December, 2008.

By the Commission

ATTEST:

  
Executive Director

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