

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ATMOS GATHERING COMPANY REQUEST)	
FOR SPECIAL PERMIT TO INSTALL)	
REINFORCED THERMOPLASTIC PIPE (RTP))	CASE NO.
FOR GAS-GATHERING PROJECTS IN THE)	2009-00417
COMMONWEALTH OF KENTUCKY)	

ORDER

On October 9, 2009, Atmos Gathering Company ("Atmos") filed an application requesting a deviation from certain requirements of 49 CFR 192. The deviation would allow Atmos to install reinforced thermoplastic pipe ("RTP") into a regulated high-pressure gas-gathering pipeline system. Atmos stated in its application that confidential test data was available for cyclic pressure performance, as well as the pressure design basis and design factor.

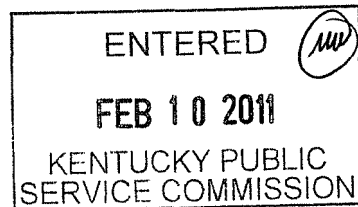
On May 27, 2010, Commission Staff issued its second data request to Atmos requesting additional information, including the cyclic pressure performance and pressure design data referenced in the application. After an extension of time was granted, Atmos indicated that it would provide the information upon its receipt from the pipeline manufacturer. On December 16, 2010, the Commission entered an Order directing Atmos to file the requested information within 15 days and stating that an Order dismissing the case would be issued if the information was not provided. On December 23, 2010, Atmos filed a response stating that the requested information is available only from the pipeline manufacturer and that despite several

attempts it has been unable to obtain the information. It further stated that it recognized the need for the Commission to dismiss this case.

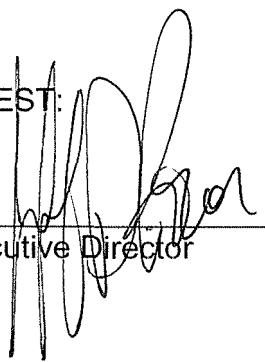
Having reviewed Atmos's response and being otherwise sufficiently advised, the Commission finds that this case should be dismissed without prejudice and removed from the Commission's docket.

IT IS HEREBY ORDERED that this case is dismissed without prejudice and removed from the Commission's docket.

By the Commission



ATTEST:



Executive Director

Honorable Mark R Hutchinson
Attorney at Law
611 Frederica Street
Owensboro, KY 42301