

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	
CORPORATION FOR AN ORDER	)	CASE NO.
AUTHORIZING THE IMPLEMENTATION OF	)	2019-00421
\$4,000,000,000 UNIVERSAL SHELF	)	
REGISTRATION	)	

ORDER

On October 9, 2020, Atmos Energy Corporation (Atmos) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1), requesting that the Commission grant confidential protection for an indefinite period for interest rate management agreements executed in conjunction with the issuance of an universal shelf registration.

In support of its motion, Atmos argued that the designated material contains commercially sensitive financial details of the terms, conditions, and financial analyses of interest rates used by Atmos in its negotiations with multiple banks. Atmos asserted that public disclosure of the designated material will harm Atmos's ability to negotiate the most favorable rates in future interest rate hedging transactions. Atmos further asserted that the designated material is generally recognized as confidential or proprietary and, if publicly disclosed, would provide unfair commercial advantage to Atmos's competitors.

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary, and 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 motion for confidential protection for interest rate management agreements is granted.

2. The designated information shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.

3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

4. Atmos shall inform the Commission if the material in question 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.

By the Commission



ATTEST:

A blue ink signature in cursive script, appearing to be "Kurt A.", written over a horizontal line.

Acting Executive Director

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