



Ernie Fletcher
Governor

Mark David Goss
Chairman

Teresa J. Hill, Secretary
Environmental and Public
Protection Cabinet

Commonwealth of Kentucky
Public Service Commission
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Frankfort, Kentucky 40602-0615
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John W. Clay
Commissioner

Christopher L. Lilly
Commissioner
Department of Public Protection

Honorable Dennis G. Howard II
Assistant Attorney General
Office of the Attorney General Utility & Rate Intervention Division
1024 Capital Center Drive
Suite 200
Frankfort, KY 40601-8204

November 28, 2006

RE: Case No. 2005-00057

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/sh
Enclosure



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Honorable John N. Hughes
Attorney at Law
124 West Todd Street
Frankfort, KY 40601

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Honorable Mark R. Hutchinson
Attorney at Law
Wilson, Hutchinson & Poteat
611 Frederica Street
Owensboro, KY 42301

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William J. Senter
V.P. Rates & Regulatory Affairs
Atmos Energy Corporation
2401 New Hartford Road
Owensboro, KY 42303-1312



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Gary L. Smith
Vice President, KY Marketing & Reg.
Atmos Energy Corporation
2401 New Hartford Road
Owensboro, KY 42303-1312

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Honorable Douglas Walther
Associate General Counsel
Atmos Energy Corporation
2401 New Hartford Road
Owensboro, KY 42303-1312

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE OFFICE OF ATTORNEY GENERAL)	
THE COMMONWEALTH OF KENTUCKY)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2005-00057
)	
ATMOS ENERGY CORPORATION)	
)	
DEFENDANT)	

ORDER

On March 3, 2006, the Commission entered an Order approving a procedural schedule that had been agreed upon by the parties to this proceeding. On November 17, 2006, Atmos Energy Corporation ("Atmos") filed a motion to dismiss this proceeding and requested that the Commission hold the procedural schedule in abeyance pending a decision on the motion.

Having considered the motion and being otherwise sufficiently advised, the Commission finds that the Attorney General should be provided an opportunity to respond to the motion to dismiss and that it is reasonable to hold the procedural schedule in abeyance pending the Commission's decision on the motion.

IT IS THEREFORE ORDERED that:

1. The Attorney General shall file a response to the motion to dismiss no later than December 4, 2006.

2. The procedural schedule approved on March 3, 2006 shall be held in abeyance until the Commission renders its decision on Atmos's motion to dismiss.

Done at Frankfort, Kentucky, this 28th day of November, 2006.

By the Commission

ATTEST.

Executive Director