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Case No 2005-00057

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PUBLIC SERVICE  
 COMMISSION

I am quite sure that Attorney General Greg Stumbo would not win a popularity contest with your administration, but could you put your differences aside long enough to work together FOR THE PEOPLE OF THE COMMONWEALTH OF KENTUCKY ON WHAT THE MAJORITY OF KENTUCKIANS CONSIDER A VITALLY IMPORTANT ISSUE, based on the facts below.

The Kentucky Attorney General filed a complaint on February 1, 2005 with the Public Service Commission claiming that Western Kentucky Gas (Atmos) is over-earning by approximately \$7.4 million per year on its distribution of gas to approximately 180,443 customers in the 38 Kentucky counties they serve. Another pleading has been filed urging the PSC to act and grant the request for a hearing.

So far, after 1 YEAR the Kentucky Public Service Commission's 3-member group has not allowed the hearing. In a letter to them, I asked them, unless they had something to hide, why would they not grant the hearing. In a reply, they did not answer the question but did write they would "...do everything in our power to insure that this case is resolved...." We all hope so, but why does it take 12 months? They must really have busy schedules and agendas.

Kentucky law requires that Atmos is authorized to receive only fair, just and reasonable rates for service. The last time the Public Service Commission determined that the rates were fair, just and reasonable was 1999. The Commission ordered a 10.5% return in November 2004 regarding Delta Natural Gas Company, Inc. to be fair, just and reasonable.

It has been determined by an expert in this field that Atmos' earnings average is 18%, well above returns on equity found to be fair, just and reasonable. You can review the entire complaint against Atmos on the Kentucky Attorney General's web site.

In Colorado Atmos Energy Corporation agreed to return \$1,850,000 to ratepayers and Energy Outreach Colorado. In Tennessee the Attorney General concluded that Atmos Energy Corporation earned \$6.6 million more than a 7.42% established by the Tennessee Regulatory Authority regarding another supplier to citizens of Tennessee.

Our Legislature just passed a bill for millions of our tax dollars to assist low income families in Kentucky with their home heating cost. My guess would be that more millions were needed this year than previous years because of natural gas prices.

Please, order YOUR/OUR Public Service Commission to immediately schedule a hearing on this

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manner and resolve it. If the people of this Commonwealth are being "ripped off" (as with the oil companies) by Atmos Energy should you not do something about it? The gas prices are "killing" the poor and SMALL BUSINESSES while Atmos makes millions. All we want is for the truth to come forward.

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