

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE FILING OF SEVEN (7) SPECIAL)	CASE NO.
INDUSTRIAL CONTRACTS BY ATMOS)	2016-00052
ENERGY CORPORATION)	

ORDER

On March 4, 2016, Atmos Energy Corporation (“Atmos”) filed a petition (“Petition”), pursuant to KRS 61.878, KRS 278.160(3), and 807 KAR 5:001, Section 13, for confidential protection for an indefinite period for certain information contained in its response to Commission Staff’s First Request for Information to Atmos (“Staff’s First Request”), Items 1, 2, and 3.

In support of its Petition requesting confidential protection, Atmos states that the designated material in its response to Staff’s First Request, Items 1, 2, and 3, includes specific customers by name, by location, by specific volumetric usage, and by plant facilities associated with the customer. Atmos asserts that this information is commercial information that if made public would permit an unfair advantage to its competitors and could cause substantial competitive harm to Atmos. Atmos states that the designated material is not generally disclosed to non-management employees of Atmos and is protected internally by Atmos as proprietary information.

Having considered the Petition and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary which, if openly disclosed could result in a commercial disadvantage to Atmos and is exempted from public disclosure pursuant to KRS 61.878(1)(c) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Atmos's Petition for confidential protection for designated material contained in its response to Staff's First Request, Items 1, 2 and 3 of Staff's First Request is granted.

2. The designated material set forth in the Atmos's response to Staff's First Request, Items 1, 2 and 3 shall not be placed in the public record or made available for public inspection indefinitely, or until further Orders of the Commission.

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

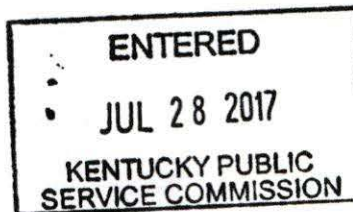
4. Atmos shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential protection.

5. If a non-party to this proceeding requests to inspect material granted confidential protection by this Order and the period during which the material has been granted confidential protection has not expired, then Atmos shall have 20 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(1)(c). 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 20 days following an Order finding that the material no longer qualifies for confidential protection in order to allow Atmos to seek a remedy afforded by law.

By the Commission



ATTEST:



Acting Executive Director

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