

COMMONWEALTH OF KENTUCKY
BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION

RECEIVED
JAN 17 2017
PUBLIC SERVICE
COMMISSION

In the Matter of:

GAS COST ADJUSTMENT)	CASE NO.
FILING OF)	2017-00029
ATMOS ENERGY CORPORATION)	

**PETITION FOR CONFIDENTIALITY OF INFORMATION
BEING FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION**

Atmos Energy Corporation ("Atmos" or "Company") respectfully petitions the Kentucky Public Service Commission ("Commission") pursuant to 807 KAR 5:001 Section 13 for confidential treatment of the information which is described below and which is attached hereto. In support of this Petition, Atmos states as follows:

1. Atmos filed its Gas Cost Adjustment ("GCA") on January 3, 2017 for the quarterly period commencing on February 1, 2017 through April 30, 2017. Commission Staff has requested certain additional information related to the Company's PBRRF. The requested additional information is contained in the attached Schedule styled "Atmos KY PBR Savings for a period 12 months ending October, 2016". All of the information contained in the attached Schedule is confidential.

2. Information of the type contained in the attached Schedule has previously been filed by Atmos with the Commission under petitions for confidentiality in its prior PBR filings. The Commission has consistently granted confidential protection to this information. See e.g. Case No. 2015-00298.

3. The Company's current gas supply contracts contain significant pricing discounts, which are disclosed in the attached Schedule. In order to protect the confidentiality of that information, not only must the discounts themselves be redacted, but all information from which the discount could be calculated, must likewise be redacted. Since this information is both disclosed in, and determinable from, data appearing throughout the attached Schedule, it has been redacted in its entirety.

4. All of the information sought to be protected herein as confidential, if publicly disclosed, would have serious adverse consequences to Atmos and its customers. Public disclosure of this information would impose an unfair commercial disadvantage on Atmos. Atmos has successfully negotiated advantageous gas supply contracts that are very beneficial to Atmos and its ratepayers. Detailed information concerning those contracts, if made available to Atmos' competitors would clearly put Atmos to an unfair commercial disadvantage. Those competitors for gas supply would be able to gain information that is otherwise confidential about Atmos' gas purchases and transportation costs and strategies. The Commission has accordingly granted confidential protection to such information.

5. Atmos would not, as a matter of company policy, disclose any of the information for which confidential protection is sought herein to any person or entity, except as required by law or pursuant to a court order or subpoena. Atmos' internal practices and policies are directed towards non-disclosure of the attached information. In fact, the information contained in the attached Schedule is not disclosed to any personnel of Atmos except those who need to know in order to discharge their responsibility. Atmos has never disclosed such information publicly. This information is not customarily disclosed to the public and is generally recognized as confidential and proprietary in the industry.

6. There is no significant interest in public disclosure of the attached information. Any public interest in favor of disclosure of the information is out weighed by the competitive interest in keeping the information confidential.

7. The attached information is also entitled to confidential treatment because it constitutes a trade secret under the two prong test of KRS 265.880: (a) the economic value of the information as derived by not being readily ascertainable by other persons who might obtain economic value by its disclosure; and, (b) the information is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. The economic value of the information is derived by Atmos maintaining the confidentiality of the information since competitors and entities with whom Atmos transacts business could obtain economic value by its disclosure.

8. The attached information should be treated as confidential for an indefinite period because its competitively sensitive nature will last for an indefinite period.

WHEREFORE, Atmos petitions the Commission to treat as confidential information which is included in the attached Schedule marked "Confidential".

Respectfully submitted this 16 day of January, 2017.



Mark R. Hutchinson
611 Frederica Street
Owensboro, Kentucky 42301
randy@whplawfirm.com

John N. Hughes
124 W. Todd Street
Frankfort, Kentucky 40601
JNHUGHES@FEWPB.NET

Attorneys for Atmos Energy Corporation