

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT FILING ) CASE NO.  
OF ATMOS ENERGY CORPORATION ) 2018-00425

ORDER

On December 26, 2018, Atmos Energy Corporation (Atmos) filed a petition pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection for an indefinite period to a portion of the information contained in Attachments C–D in Atmos’s Application for a quarterly gas cost adjustment (GCA Application). The designated materials contain information on pricing discounts and information from which the discount could be calculated.

As a basis for its request, Atmos states that the public disclosure of the designated material would place Atmos at a commercial disadvantage and have serious adverse consequences to Atmos and its customers. Atmos further states that it has successfully negotiated advantageous gas supply contracts that are beneficial to Atmos and its ratepayers, and that detailed information concerning these contracts, if made available to Atmos’s competitors, would put Atmos at a commercial disadvantage in future negotiations. Atmos asserts that the Commission has consistently granted confidential protection to this type of information in prior gas cost adjustment filings.

Having considered the petition and the material at issue, the Commission finds that the designated material contained in Atmos’s GCA Application, Attachments C–D is generally recognized as confidential or proprietary, could result in commercial harm to

Atmos if openly disclosed, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Atmos's petition for confidential protection for designated material contained in the GCA Application, Attachments C–D is granted.

2. The designated materials shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Orders of the Commission.

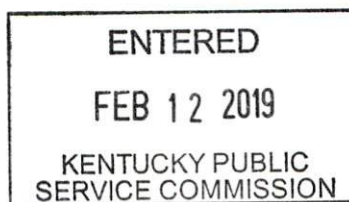
3. Use of the designated material in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

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

5. If a non-party to this proceeding requests to inspect material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, then 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 following 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:

  
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