

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC PURCHASED GAS ADJUSTMENT	)	CASE NO.
FILING OF ATMOS ENERGY CORPORATION	)	2021-00453

ORDER

On December 30, 2021, Atmos Energy Corporation (Atmos) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for an indefinite period for certain information that is contained in its Quarterly Gas Supply Clause filing. Specifically, (1) information pertaining to the actual price Atmos is paying its suppliers for natural gas and (2) information pertaining to prices projected to be paid by Atmos for purchase contracts.

In support of its petition, Atmos asserted that public disclosure of this information would damage Atmos's competitive position and business interests. Atmos further stated that disclosure of this sensitive commercial information would impair Atmos's ability to negotiate future gas supply contracts at advantageous prices and minimize the price of natural gas to its customers. Atmos contended that, if detailed information concerning its gas supply contract, including commodity costs, demand and transportation charges, and reservation fees on specifically identified pipelines, were made available to Atmos's competitors, that Atmos would be placed in an unfair commercial disadvantage. Atmos

stated that the Commission had previously granted confidential treatment to comparable information in Case No. 2015-00343.<sup>1</sup>

Having considered the petition and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary because public disclosure could ultimately result in a competitive disadvantage to Atmos concerning the negotiation of future supply and purchase contracts; it therefore meets the criteria for confidential treatment and should be exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Atmos's petition for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Atmos shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Atmos shall have 30 days from receipt of

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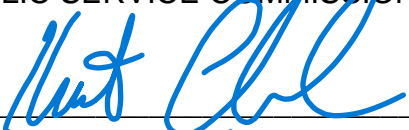
<sup>1</sup> Case No. 2015-00343, *Electronic Omnibus Order Addressing Certain Pending Petitions for Confidential Treatment* (Ky. PSC Dec. 15, 2019).

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 from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Atmos to seek a remedy afforded by law.

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PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
AUG 22 2023 rcs  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

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