

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ATMOS	)	
ENERGY CORPORATION FOR A DEVIATION	)	CASE NO.
FROM THE NOTICE REQUIREMENTS IN 807	)	2024-00084
KAR 5:011, SECTION 8	)	

ORDER

On March 25, 2024, Atmos Energy Corporation (Atmos), filed a motion for deviation from customer notice requirements via the online tariff filing system.<sup>1</sup> Atmos filed proposed tariff revisions intended to modernize the language of its tariff to reflect current operations and provide clarity regarding existing responsibilities of Atmos and its customers. In its accompanying motion for deviation, Atmos maintained that the changes do not “affect the amount that a customer pays for service or the quality, delivery or rendering of customer’s service”.<sup>2</sup> Atmos further argued that the notice requirements contained in 807 KAR 5:011 Section 8 do not apply since the updated portions of its tariff better align with the language provided in the statutes and regulations, as well as better align with the tariffs of other local gas distribution companies in Kentucky.<sup>3</sup>

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<sup>1</sup> TFS2024-00114, P.S.C., First Revised Sheets No. 73, 75, 75A, 78, 79, 79A, 80, 80A, 81, 81A, 82, 82A, 83, 84, 85, 86, 88A, and 89 (filed Mar. 25, 2024).

<sup>2</sup> Motion for Deviation (filed Mar. 25, 2024) at 1, paragraph 2.

<sup>3</sup> Motion for Deviation at 2, paragraph 5.

Atmos stated that out of an abundance of caution, it has posted notice of the revisions on its website and at its place of business.<sup>4</sup> Atmos requested a deviation from 807 KAR 5:011, Section 8, if the Commission determines that customer notice is required. According to Atmos, it has posted the notice on its website and at its place of business which was sufficient, and granting the deviation would excuse Atmos of mailing or publishing the notice in accordance with 807 KAR 5:011, Section (8)(2)(b).

Having reviewed the record and being fully advised, the Commission finds that Atmos' motion for deviation from 807 KAR 5:011, Section 8, should be denied. Although some of the proposed revisions would not warrant traditional notice to customers, there are proposed revisions that will shield Atmos from duty, responsibility, and liability, which in turn transfers these obligations to the customer. Atmos did not provide good cause to deviate from the regulation.

Notice via website and posting at its place of business are sources that many customers may use when they are seeking out conditions of service; however, only providing notice of proposed tariff revisions, some of which place responsibilities or liability upon the customer, via the website and at its place of business does not put all customers on notice that such changes have been proposed.

IT IS THEREFORE ORDERED that:

1. Atmos' motion for deviation from customer notice required by 807 KAR 5:011, Section 8, is denied.
2. Atmos' March 25, 2024 tariff filing in Case No. TFS2024-00114 is rejected for filing.

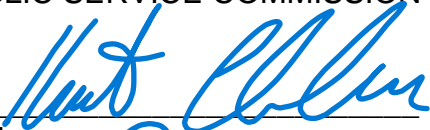
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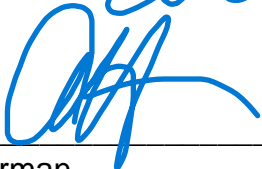
<sup>4</sup> TFS2024-00114, P.S.C., Customer Notice 240324.

3. This matter is closed and shall be removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ENTERED  
APR 15 2024  
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KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

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