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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

DEC 2 2014

PUBLIC SERVICE  
COMMISSION

IN THE MATTER OF:

THE INTERIM REPORT OF ATMOS ENERGY CORPORATION  
ON ITS HEDGING PROGRAM FOR THE 2014-2015  
HEATING SEASON

Case No. 2012-0040

**MOTION TO ACCEPT INTERIM REPORT OF HEDGING PROGRAM  
FOR THE 2014-2015 HEATING SEASON**

Comes now, Atmos Energy Corporation ("Atmos Energy") and files herewith its Interim Report for the 2014-2015 Heating Season. Atmos Energy respectfully moves the Commission to accept the attached Interim Hedging Report for the 2014-2015 Heating Season.

Respectfully submitted this 2nd day of December, 2014.



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Mark R. Hutchinson  
611 Frederica Street  
Owensboro, Kentucky 42301  
[randy@whplawfirm.com](mailto:randy@whplawfirm.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2nd day of December, 2014 the original of this Motion, together with ten (10) copies of the Petition without the confidential information, were sent by overnight delivery to the Kentucky Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40206.



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IN THE MATTER OF:

THE INTERIM REPORT OF ATMOS ENERGY CORPORATION  
ON ITS HEDGING PROGRAM FOR THE 2014-2015  
HEATING SEASON

Case No. 2012-00440

**PETITION FOR CONFIDENTIALITY OF ATMOS'  
INTERIM HEDGING REPORT**

Atmos Energy Corporation ("Atmos Energy") respectfully petitions the Kentucky Public Service Commission ("Commission"), pursuant to 807 KAR 5:001 Section 13, and all other applicable law, for confidential treatment of Atmos Energy's Interim Hedging Report for the 2014-2015 heating season.

1. On March 28, 2013 the Commission entered an Order in this proceeding approving Atmos Energy's hedging program through March 31, 2014. On December 2, 2013, Atmos Energy filed an Application for Continuance of its Hedging Program for five (5) years, through March 31, 2019. (See KPSC Case No. 2013-00421). On March 10, 2014, the Commission entered an Order in KPSC Case No. 2013-00421, approving the continuation of Atmos Energy's hedging program pending the issuance of a final Commission order. On September 18, 2014, the Commission entered its Final Order denying Atmos Energy's request to extend its hedging program in KPSC Case No. 2013-00421.

2. Portions of the Report filed herewith, together with the Exhibits attached thereto, contain sensitive pricing information and confidential information about Atmos Energy's hedging strategies. Atmos Energy's hedging strategies (including the prices Atmos Energy would likely pay for hedging contracts under various market conditions) constitutes sensitive, proprietary information which if publicly disclosed could put Atmos Energy at a commercial disadvantage in future hedging negotiations. Prospective brokers of hedging devices would gain insight into how Atmos Energy is likely to react to changing market conditions in terms of what Atmos Energy might be willing to pay for hedging contracts. This information would not otherwise be available. Although the full extent to which Atmos Energy would be disadvantaged

in future negotiations is difficult to predict, it is clear that Atmos Energy would likely be disadvantaged in future negotiations if the information contained in the attachments to this Petition is made public.

3. Atmos Energy would not, as a matter of company policy, disclose information like that contained in the attachments to any person or entity, except as required by law or pursuant to a court order or subpoena. Atmos Energy's internal practices and policies are directed towards non-disclosure of the attached information. In fact, the information contained in the attachments is not disclosed to any personnel of Atmos Energy except those who need to know in order to discharge their responsibility. Atmos Energy 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. The Commission has historically granted Atmos Energy confidential protection to information concerning the actual price being paid by Atmos Energy to individual marketing companies and other suppliers of natural gas.

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

5. The information contained in the attachments 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 is 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 this information is derived by Atmos Energy maintaining the confidentiality of the information since prospective brokers could obtain economic value by its disclosure.

6. The time period during which the material should be treated as confidential should be indefinite. Atmos Energy's confidential historical hedging strategies will remain competitively sensitive for an indefinite period in the future.

WHEREFORE, Atmos Energy petitions the Commission to treat as confidential all of the material and information contained in the attached that is marked CONFIDENTIAL.

Respectfully submitted this 2<sup>nd</sup> December, 2014.

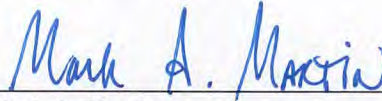


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#### VERIFICATION

I, Mark A. Martin, being duly sworn under oath state that I am Vice President of Marketing and Regulatory Affairs for Atmos Energy Corporation, Kentucky/Midstates Division, and that the statements contains in the foregoing Petition are true as I verily believe.



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Mark A. Martin

#### CERTIFICATE OF SERVICE

I hereby certify that on the 2<sup>nd</sup> day of December, 2014 the original of this Petition, with the Confidential Information for which confidential treatment is sought, together with ten (10) copies of the Petition without the confidential information, were sent by overnight delivery to the Kentucky Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40206.



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Mark R. Hutchinson