

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

OFFICE OF THE ATTORNEY GENERAL)
COMMONWEALTH OF KENTUCKY)
V.)
ATMOS ENERGY CORPORATION)

Case No. 2005-00057

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COMMISSION

PETITION FOR CONFIDENTIALITY OF INFORMATION
BEING FILED WITH KENTUCKY PUBLIC SERVICE COMMISSION
IN RESPONSE TO DATA REQUESTS
OF ATTORNEY GENERAL

Atmos Energy Corporation ("Atmos"), respectfully petitions the Kentucky Public Service Commission ("Commission"), pursuant to 807 KAR 5:001, Section 7, and all other applicable law, for confidential treatment of certain of the information being provided in response to DR6 and DR84 of the Attorney General's First Data Requests. In support of this Petition, Atmos states as follows:

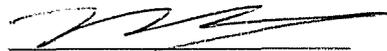
1. In its DR 6, the Attorney General has requested copies of Atmos' monthly managerial reports. In DR84, copies of presentations made to rating agencies are requested. These documents contain sensitive and confidential information and are entitled to be filed confidentially.
2. KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). KRS 61.878(1)(c)(1) exempts commercial information, confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained.

3. The managerial reports being requested contain sensitive information that is provided to Atmos' Board of Directors and senior management. They contain such confidential and proprietary information as: unique operational and financial strategies; potential acquisitions; analysis of competitors' business practices; customer sensitive information; preliminary recommendations containing private opinions, etc.
4. As to DR84, the following three presentations to rating agencies contain confidential and property information: 1. "Rating Agency Presentation June 2004"; 2. "TXU Gas Closing Updated September 27, 2004; and 3. "Rating Agency Update October 2005". These presentations were made confidentially to the rating agencies, who in turn have kept the information confidential. These presentations are not disseminated to stock analysts or the general public. The rating agency presentations contain specific information related to such matters as Atmos' business and growth strategies.
5. Disclosure of the information sought to be protected would allow Atmos' competitors to gain confidential information about Atmos' business practices and strategies that would not otherwise be available to them. Atmos has no corresponding right to obtain similar information from its competitors. This information would accordingly enable competitors to have an unfair commercial advantage.
6. The information sought to be protected is not publicly available and is not disseminated within Atmos except to those employees with a legitimate business need to know and act upon the information.

7. Pursuant to 807 KAR 5:001, Section 7 (3), temporary confidentiality should be maintained until the Commission enters an order as to the Petition. Once the order regarding confidentiality has been issued, Atmos would have twenty (20) days to seek alternative remedies pursuant to 807 KAR 5:001, Section 7 (4).
8. The information for which confidential treatment is sought is so voluminous that reproducing hard copies is not practical. Accordingly, all of the information for which confidential protection is sought has been downloaded to the enclosed compact discs marked "CONFIDENTIAL". Once a confidentiality agreement has been entered into with the Attorney General, the information will be provided to the Attorney General in the same format.

WHEREFORE, Atmos petitions the Commission to treat as confidential the information contained in the compact discs being filed herewith.

Respectfully submitted this ____ day of May, 2006.



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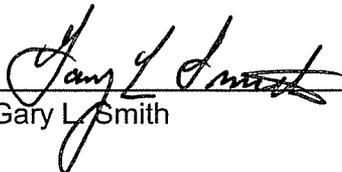
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VERIFICATION

I, Gary L. Smith, being duly sworn under oath, state that I am Vice President of Regulatory Affairs for Atmos Energy Corporation, Kentucky Division, and that the statements contained in the foregoing Application are true as I verily believe.



Gary L. Smith

CERTIFICATE OF SERVICE

I hereby certify that on the ___ day of May, 2006, the original of this Petition, with the Confidential Information for which confidential treatment is sought contained in the enclosed compact discs, together with eight (8) copies of the Petition without the confidential information, were filed with the Kentucky Public Service Commission, 211 Sower Blvd, Frankfort, Kentucky 40602.



Mark R. Hutchinson