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SEP 04 2008

**PUBLIC SERVICE
COMMISSION**

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OVERNIGHT DELIVERY

September 3, 2008

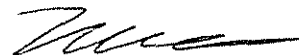
Honorable Stephanie Stumbo
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
PO Box 615
Frankfort, Kentucky 40602

RE: Case No. RE: 2005-00321

Dear Ms. Stumbo:

By cover correspondence dated August 27, 2008, Atmos Energy Corporation filed its annual PBR containing data from the period April, 2007 through March, 2008. This information was intended to be filed under Petition for Confidentiality, but the Petition was inadvertently omitted. Dawn McGhee is aware of this situation. We are accordingly making this supplemental filing of the confidential data under a Petition for Confidentiality. Please treat the previously tendered PBR data as having been filed under the attached Petition for Confidentiality. We are attaching one non-redacted version of the data and ten (10) redacted copies. Thanking you now for your cooperation.

Very truly yours,



Mark R. Hutchinson

MRH

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**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

SEP 04 2008
PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:)	
)	
MODIFICATION OF ATMOS ENERGY)	
CORPORATION'S GAS COST ADJUSTMENT)	CASE NO. 2005-00321
TO INCORPORATE PERFORMANCE-BASED)	
RATEMAKING MECHANISM (PBR))	

**PETITION FOR CONFIDENTIALITY OF CERTAIN INFORMATION
BEING FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION
WITH THE ANNUAL REPORT ON ATMOS ENERGY CORPORATION'S
PERFORMANCE BASED
RATEMAKING MECHANISM**

Atmos Energy Corporation ("Atmos Energy" or "Company"), 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 the information contained in the attached document. In support of this petition, Atmos Energy states as follows:

1. On February 8, 2006, the Commission entered an Order in case no. 2005-00321 approving an extension, as modified, of Atmos' Experimental Performance Based Ratemaking Mechanism ("PBR") for a period of five (5) years. The Commission's Order further required the Company to file annual reports on the results of the PBR program by August 31 of each year, commencing in 2007. The attached report contains the

quantitative results of Atmos' PBR program for the period of April 2007 through March 2008 and is filed in fulfillment of that requirement.

2. The Company's current gas supply contract is with a single source supplier, Atmos Energy Marketing, Inc. ("AEM"). It contains significant pricing discounts. In order to fully report to the Commission the results of the Company's current PBR program, disclosure of the discounts on gas purchases provided in the current supply contract is required. In order to protect the confidentiality of that information, not only must the discount themselves be redacted in the non-confidential version, but all information from which the discount could be calculated, must likewise be redacted. Since this information is both disclosed in, and determinable from, data appearing throughout the quantitative results contained in Exhibit "A", the entire Exhibit "A" has been redacted.

3. This type of information has been determined by the Commission in Atmos' prior PBR proceedings to be entitled to confidential protection. Nothing has occurred since the Commission granted confidential protection to this type of information that would now disqualify it from protection. The Company accordingly petitions the Commission to again treat this information as confidential.

4. Pursuant to 807 KAR 5:001, Section 7 (3), temporary confidentiality of the information sought to be protected herein should be maintained until the Commission enters an orders as to this Petition. Once the order regarding confidentiality has been issued, Western would have twenty (20) days to seek alternative remedies pursuant to 807 KAR 5:0001, Section 7 (4).

WHEREFORE, Company petitions the Commission to treat as confidential the information contained in the attached.

Respectfully submitted this 3 th day of September, 2008.



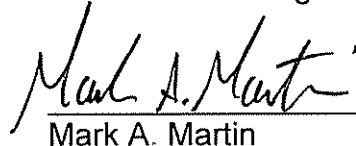
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Douglas Walther
Atmos Energy Corporation
P.O. Box 650250
Dallas, Texas 75265

Attorneys for Atmos Energy

VERIFICATION

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



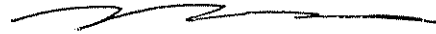
Mark A. Martin

CERTIFICATE OF SERVICE

I hereby certify that on the 3 day of September, 2008, the original of this Petition, with the Confidential Information for which confidential treatment is sought, together with eleven (11) copies of the Petition without the confidential information, were filed with the Kentucky Public Service Commission, 211 Sower Boulevard, P.O.

Box 615, Frankfort, Kentucky 40602, and a true copy thereof mailed by first class mail to the following named persons:

Lawrence W. Cook
Assistant Attorney General
Office of Rate Intervention
1024 Capitol Center Drive
Suite 200
Frankfort, Kentucky 40601



Mark R. Hutchinson

ATMOSPBRICASE NO. 2005-00321\
PETITION FOR CONFIDENTIALITY
September 2008

Atmos Energy Corporation
 Kentucky/Mid-States Division
 KY PBR Results (April 2007 - March 2008)

	<u>Commodity Discount</u>	<u>Transport Discount</u>	<u>Capacity Release</u>	<u>Total Monthly Savings</u>	<u>Atmos KY Share</u>
Apr-07	\$ -	\$ -	\$ -	\$ -	\$ -
May-07	\$ -	\$ -	\$ -	\$ -	\$ -
Jun-07	\$ -	\$ -	\$ -	\$ -	\$ -
Jul-07	\$ -	\$ -	\$ -	\$ -	\$ -
Aug-07	\$ -	\$ -	\$ -	\$ -	\$ -
Sep-07	\$ -	\$ -	\$ -	\$ -	\$ -
Oct-07	\$ -	\$ -	\$ -	\$ -	\$ -
Nov-07	\$ -	\$ -	\$ -	\$ -	\$ -
Dec-07	\$ -	\$ -	\$ -	\$ -	\$ -
Jan-08	\$ -	\$ -	\$ -	\$ -	\$ -
Feb-08	\$ -	\$ -	\$ -	\$ -	\$ -
Mar-08	\$ -	\$ -	\$ -	\$ -	\$ -
2007-2008 Total	\$ -	\$ -	\$ -	\$ -	\$ -
2005-2008 Total	\$ -	\$ -	\$ -	\$ -	\$ -