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February 7, 2008

Mr. Lawrence W. Cook  
Mr. Paul D. Adams  
Assistant Attorneys General  
Office of Rate Intervention  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601

RE: Case No. 2007-00551

Dear Mr. Cook and Mr. Adams:

Atmos Energy Corporation (Company) herewith submits an original redacted copy of the Company's response to the Office of Rate Intervention's data requests in the above referenced docket. A non-redacted copy is being submitted under a Petition of Confidentiality. Please contact either myself at 270.685.8024 or Len Matheny at 270.685.8062 if your office has any questions regarding the enclosed application.

Sincerely,

A handwritten signature in cursive script that reads "Mark A. Martin".

Mark A. Martin  
Vice President, Rates & Regulatory Affairs

Enclosures

cc: Randy Hutchinson  
Alan Chambers  
✓ Beth O'Donnell, Public Service Commission

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

IN THE MATTER OF:

APPLICATION OF ATMOS ENERGY CORPORATION  
FOR MODIFICATION OF ITS APPROVED HEDGING  
PROGRAM

Case No. 2007-00551

**PETITION FOR CONFIDENTIALITY OF INFORMATION**  
**BEING FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION**

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 the information which is described below and which is attached hereto. In support of this Petition, Atmos states as follows:

1. Item 3 of the Attorney General's Initial Requests for Information, dated January 31, 2008, requests the following information:

"Please provide a spreadsheet showing historical data for the past five (5) years, by each month, for gas purchasing prices for Atmos. The monthly data entry should be consistent by month; i.e., middle of the month, end of the month, etc."

2. The information sought in Item 3 are the prices Atmos actually paid to its supplier for natural gas purchased over the prior five (5) year period. Information of this type has historically been filed by Atmos with the Commission under petitions for confidentiality. The Commission has consistently granted confidential protection to information concerning what Atmos pays for natural gas under its gas supply agreement with its existing supplier.

3. All of the information sought to be protected herein as confidential, if publicly disclosed, would have serious adverse consequences to Atmos and its customers. Public disclosure of this information would impose an unfair commercial disadvantage on Atmos. Atmos has successfully negotiated a very advantageous gas supply contract that is beneficial to Atmos and its ratepayers. Detailed

information concerning that contract, including commodity costs, demand and transportation charges, reservations fees, etc. on specifically identified pipelines, if made available to Atmos' competitors, (including specifically nonregulated gas marketers), would clearly put Atmos to an unfair commercial disadvantage. Those competitors for gas supply would be able to gain information that is otherwise confidential about Atmos' gas purchases and transportation costs and strategies. The Commission has accordingly granted confidential protection to such information.

4. Likewise, this information also constitutes sensitive proprietary information, which if public disclosed would put Atmos to an unfair commercial disadvantage in future negotiations.

5. Atmos would not, as a matter of company policy, disclose any of the information for which confidential protection is sought herein to any person or entity, except as required by law or pursuant to a court order or subpoena. Atmos' internal practices and policies are directed towards non-disclosure of the attached information. In fact, the information sought in Item 3 of the Attorney General's Initial Request for Information is not disclosed to any personnel of Atmos except those who need to know in order to discharge their responsibility. Atmos 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.

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

7. The attached information 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 as 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 the information is derived by Atmos maintaining the confidentiality of the

information since competitors and entities with whom Atmos transacts business could obtain economic value by its disclosure.

8. Pursuant to KAR 5:001 Section 7(3) temporary confidentiality of the attached information should be maintained until the Commission enters an order as to this 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).

9. Atmos and the Attorney General have agreed to enter into a Confidentiality Agreement pertaining to this information. Accordingly, Atmos will provide the requested information to the Attorney General pursuant to an executed Confidentiality Agreement.

WHEREFORE, Atmos petitions the Commission to treat as confidential all of the material and information which is included in the attached one volume marked "Confidential".

Respectfully submitted this 6 day of February, 2008.

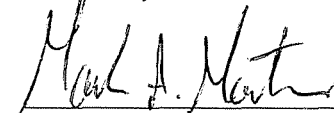


Mark R. Hutchinson  
611 Frederica Street  
Owensboro, Kentucky 42301

Douglas Walther  
ATMOS ENERGY CORPORATION  
PO Box 650250  
Dallas, Texas 75265

#### VERIFICATION

I, Mark A. Martin, being duly sworn under oath state that I am Vice President of Rates and Regulatory Affairs for Atmos Energy Corporation, Kentucky/Midstates Division, 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 6 day of February, 2008 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 filed with the Kentucky Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40206 and a copy of same was mailed to Lawrence W. Cook and Paul D. Adams, Assistant Attorneys General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204.



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Mark R. Hutchinson