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**WILSON, HUTCHINSON & POTEAT**

# Fax

**To:** ANITA MITCHELL

**From:** RANDY HUTCHINSON

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**Pages:**

**Phone:**

**Date:** 2-10-09

**Re:** ATMOS ENERGY

**CC:**

● **Comments:**

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**BEFORE THE  
PUBLIC SERVICE COMMISSION OF KENTUCKY**

IN THE MATTER OF THE APPLICATION )  
OF ATMOS ENERGY CORPORATION )  
FOR AN ORDER AUTHORIZING THE )  
IMPLEMENTATION OF A \$900,000,000 )  
UNIVERSAL SHELF REGISTRATION )  
)

CASE NO. 2009-00046

**REQUEST FOR EXPEDITED REVIEW**

In Case No. 2006-00387, the Commission approved Atmos' request for a \$900,000,000 universal shelf registration. Under applicable Securities and Exchange Commission Rules, such a registration statement is valid for a period of three (3) years. Accordingly, Atmos filed this proceeding seeking Commission approval for the filing of a new \$900,000,000 universal shelf registration. The current filing includes the unused authority of approximately \$450,000,000 under the registration approved in Case No. 2006-00387.

As the Commission is well aware, the credit market is in a rapidly changing environment. Currently, more favorable credit market conditions are emerging. However, given the extremely uncertain economic outlook, only a brief window of opportunity may exist for obtaining more attractive credit rates and good market access.

It is in the best interest of Atmos and its ratepayers to take advantage of favorable credit market conditions when they exist. To do so, Atmos must be in a position to react quickly to credit market developments. Atmos will not be able to take advantage of favorable market conditions until this Commission has approved the current application. Atmos has already obtained state agency approval for the new shelf registration in certain other states, thereby eliminating its ability to utilize any of the remaining authority under the registration approved in Case No. 2006-00387.


Under normal circumstances, the time allotted by regulation for review of these type of filings is adequate and reasonable. Atmos is grateful for the timely fashion within which the Commission routinely disposes of applications pending before it. The decision to file this request for expedited review has accordingly not been made lightly. However, because of the rapidly changing conditions in the national credit markets, Atmos felt this request for extraordinary relief was warranted. At the time Atmos' application was filed, undersigned counsel was unaware of the need for expedited review. Accordingly, the Application did not address this issue.

Any information which the Commission deems necessary in its review will be supplied as quickly as humanly possible by Applicant. Atmos' officers, including its treasurer, can be made available, on very short notice, at any time to answer questions or provide information.

Respectfully submitted on this 10 day of February, 2009.

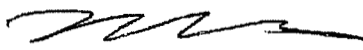
Mark R. Hutchinson  
Attorney at Law  
611 Federica St.  
Owensboro, Kentucky 42301

COUNSEL FOR ATMOS ENERGY CORPORATION

By:  \_\_\_\_\_

CERTIFICATE OF SERVICE

This is to certify that a copy of this Request was sent by facsimile transmission and an original, plus ten (10) copies of this Request was filed with the Kentucky Public Service Commission, 211 Sower Blvd., Frankfort, Kentucky 40602 by overnight delivery on this the 10th day of February, 2009.

  
\_\_\_\_\_  
Mark R. Hutchinson