Steven L. Beshear Governor

Leonard K. Peters Secretary Energy and Environment Cabinet



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

July 13, 2010

Mark R. Hutchinson 611 Frederica Street Owensboro, Kentucky 42301

Re: Atmos Energy Corporation Petition for Confidential Protection received 6/29/10 PSC Reference # – Case No. 2010-00257

Dear Mr. Hutchinson:

The Public Service Commission has received the Petition for Confidential Protection you filed on June 29, 2010 on behalf of Atmos Energy Corporation ("Atmos"), to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in its "GCA" for the period beginning August 1, 2010 and ending October 31, 2010. The information is more particularly described as containing Atmos' quarterly correction factor and projected gas prices, more specifically Exhibit D, page 5, containing actual price determinant paid to supplier and its WACOG schedule in support of Exhibit C, page 2, containing projected pricing for purchase contracts.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Atmos' competitive position in the industry and reveal trade secrets, which would result in an unfair commercial advantage to its competitors.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Atmos' competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for

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David L. Armstrong Chairman

James W. Gardner Vice Chairman

Charles R. Borders Commissioner

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usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Atmos Energy Corporation is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

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cc: Parties of Record