

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PURCHASED GAS ADJUSTMENT FILING OF)	CASE NO.
ATMOS ENERGY CORPORATION)	2019-00368

ORDER

On October 1, 2019, Atmos Energy Corporation (Atmos) filed a petition, pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection for (a) Atmos's Exhibit D, page 5 of 6, that purportedly contains confidential information from which the actual price being paid by Atmos for natural gas to its supplier can be determined, and (b) the Weighted Average Cost of Gas (WACOG) schedule Atmos filed in support of Exhibit C, page 2 of 2, which purportedly contains confidential information pertaining to prices projected to be paid by Atmos for purchase contracts.

As the basis for its request, Atmos states that public disclosure of this information would have serious adverse consequences to Atmos and its customers. Atmos contends that if detailed information concerning its gas supply contract, including commodity costs, demand and transportation charges, reservation fees, etc., on specifically identified pipelines were made available to Atmos's competitors, that Atmos would be placed in an unfair commercial disadvantage.¹ Atmos further states that its competitors for gas supply would be able to gain information that is otherwise confidential about Atmos's gas

¹ Petition of Atmos Energy Corporation for Confidential Protection, at 2 (filed Oct.1, 2019).

purchases and transportation costs and strategies.² Finally, Atmos contends that if the information contained in the WACOG schedule filed in support of Exhibit C, page 2 of 2, were publicly disclosed, that this could put Atmos at an unfair commercial disadvantage in future negotiations due to its sensitive and proprietary nature.³ Atmos requests that this information remain confidential indefinitely.

Having considered the petition and the material at issue, the Commission finds that the designated material contained in Exhibit D, page 5 of 6, and the WACOG schedule filed in support of Exhibit C, page 2 of 2, is generally recognized as confidential or proprietary, and, therefore, meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Atmos's petition for confidential protection for Exhibit D, page 5 of 6, is granted, and the information shall not be placed in the public record or made available for public inspection until further Orders of this Commission.
2. Atmos's petition for confidential protection for the WACOG schedule filed in support of Exhibit C, page 2 of 2, is granted, and the information shall not be placed in the public record or made available until further Orders of this Commission.
3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Atmos shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.

² *Id.*

³ *Id* at 3.

5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, Atmos shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Atmos is unable to make such demonstration, the requested materials shall be made available for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days following an Order finding that the material no longer qualifies for confidential protection in order to allow Atmos to seek a remedy afforded by law.

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By the Commission

ENTERED
NOV 08 2019
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2019-00368

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