

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ATMOS	)	
ENERGY CORPORATION TO ESTABLISH PRP	)	CASE NO.
RIDER RATES FOR THE TWELVE MONTH	)	2022-00222
PERIOD BEGINNING OCTOBER 1, 2022	)	

ORDER

On July 29, 2022, Atmos Energy Corporation (Atmos) filed a petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(m), requesting that the Commission grant confidential treatment for an indefinite period for maps provided in Exhibits TRA-1 through TRA-3 as part of the Direct Testimony of T. Ryan Austin (July 29, 2022 Petition). On October 14, 2022, Atmos filed another petition, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1), requesting that the Commission grant confidential treatment for an indefinite period for certain gas cost and transportation cost information produced in response to Commission Staff's Second Request for Information to Atmos (October 14, 2022 Petition). No responses to either petition were filed in this matter.

In support of its July 29, 2022 Petition, Atmos argued, pursuant to KRS 61.878(1)(m), that the Commission is entitled to withhold from public disclosure information that would "have a reasonable likelihood of threatening the public safety by exposing a vulnerability in preventing, protecting against, mitigating, or responding to a terrorist act."<sup>1</sup> Atmos argued that the maps provided in Exhibits TRA-1 through TRA-3

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<sup>1</sup> Atmos's Petition for Confidentiality (filed July 29, 2022) (July 29, 2022 Petition) at 1-2 *quoting* KRS 61.878(1)(c)(1).

disclose the location, configuration, and security of public utility infrastructure. Thus, Atmos argued that the maps provided in Exhibits TRA-1 through TRA-3 should be exempt from public disclosure pursuant to KRS 61.878(1)(m).<sup>2</sup>

In support of its October 14, 2022 Petition, Atmos argued that purchase volumes and prices, and transportation discounts for which confidential treatment is sought are generally recognized as confidential or propriety. Atmos further argued that public disclosure of the gas cost and transportation information would place Atmos at a competitive disadvantage and would be detrimental to customers, because it would negatively affect its ability to negotiate advantageous gas supply contracts. Thus, for those and other reasons, Atmos argued that the information is exempt from public disclosure pursuant to KRS 61.878(1)(c)(1).<sup>3</sup>

Having considered Atmos's petitions and the materials at issue, the Commission finds that the maps provided in Exhibits TRA-1 through TRA-3 for which confidential treatment is sought disclose the location and configuration of vulnerable public utility infrastructure, and that they should be exempt from public disclosure pursuant to KRS 61.878(1)(m). The Commission further finds that the gas and transportation cost information for which Atmos seeks confidential treatment in this matter is generally considered to be confidential or proprietary and that disclosure could place Atmos at a competitive disadvantage and increase costs for customers, and that the cost information is exempt from public disclosure pursuant to KRS 61.878(1)(c)(1). Thus, the Commission finds that Atmos's July 29, 2022 and October 14, 2022 petitions should be granted.

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<sup>2</sup> July 29, 2022 Petition at 2-3.

<sup>3</sup> Atmos's Petition for Confidentiality (filed Oct. 14, 2022) 1-3.

IT IS THEREFORE ORDERED that:

1. Atmos's July 29, 2022 and October 14, 2022 petitions for confidential treatment are granted.

2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for an indefinite period or until further order of this Commission.

3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).


4. If the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment, Atmos shall inform the Commission and file with the Commission an unredacted copy of the designated material.

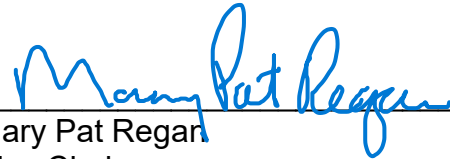
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Atmos shall have 20 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Atmos is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

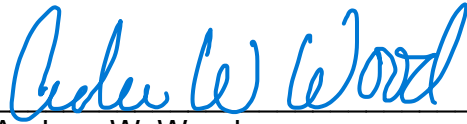
6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Atmos to seek a remedy afforded by law.

Entered on this 8th day of July, 2026.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Angie Hatton  
Chair

  
\_\_\_\_\_  
Mary Pat Regan  
Vice Chair

  
\_\_\_\_\_  
Andrew W. Wood  
Commissioner

  
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Barry L. Mayfield  
Commissioner

*by AH  
↓ permission*

ATTEST:

  
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Linda C. Bridwell, PE  
Executive Director

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