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James W. Gardner
Vice Chairman

January 15, 2015

Mark R. Hutchinson, Esq.
Wilson, Hutchinson, Poteat & Littlepage
611 Frederica Street
Owensboro, Kentucky 42301

Re: Atmos Energy Corporation
Petition for Confidential Protection received August 13, 2014
PSC Reference Case No. 2010-00353

Dear Mr. Hutchinson:


The Public Service Commission has received your Petition for Confidential Treatment filed on August 13, 2014, on behalf of Atmos Energy Corporation ("Atmos"), to protect certain information that is contained in its Annual Report of Atmos' Performance Based Ratemaking Mechanism ("PBR"), pursuant to 807 KAR 5:001, Section 13. As Atmos's request is being addressed outside of a case, 807 KAR 5:001, Section 13(3) provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material falls within the exclusions from disclosure requirements established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of the determination by letter." This letter constitutes my determination of your request.

The information that Atmos seeks to have treated as confidential is included in its Annual Report on the results of the PBR program and contains the quantitative results of that program for the period of June, 2013 through May, 2014 in compliance with the Commission's Order of December 7, 2010. Atmos states that the report contains information regarding Atmos' gas supply contracts with a single source supplier and shows significant pricing discounts on gas purchases provided in the current supply contract, which are required to be fully reported to the Commission. In order to protect the confidentiality of that information, Atmos states that not only must the discount be redacted in the non-confidential version, but all information from which the discount could be calculated, must likewise be redacted. Since this information is both disclosed in, and determinable from, data appearing throughout the quantitative results contained in Exhibit A, Atmos states that the entire Exhibit A has been redacted. Atmos states that this type of information has been determined to be entitled to confidential protection by the Commission.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, the Commission has determined that disclosure of the information requested to be held confidential would permit unfair commercial advantage to Atmos's competitors. Therefore, this information meets the criteria for confidential protection and will be maintained as a non-public part of the Commission's Post Case Referenced Correspondence file for an indefinite period.

The procedure for usage of confidential materials during formal proceedings may be found at 807 KAR 5:001, Section 13(9). If the information becomes publicly available or no longer warrants confidential treatment, Atmos is required by 807 KAR 5:001, Section 13(10), to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen
Executive Director