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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 16, 2025***2020-00289**

RECEIVED: 08/31/20

FILED: 08/31/20

FINAL: 06/20/22

REOPENED:

SUSPENSION DATE:

CASE NATURE: PBR Mechanism

**CASE CODE**

Tariffs

**UTILITIES:**

Atmos Energy Corporation

**HEARINGS:**

01/27/22 Formal Hearing

**INDEX OF EVENTS:**

- 07/23/24 POST CASE: Eric Wilen Atmos Energy Corporation 2024 Atmos Energy PBR Annual Report and Evaluation Petition Confidentiality
- 07/23/24 POST CASE: Eric Wilen Atmos Energy Corporation 2024 Atmos Energy KY PBR Annual Report and Evaluation Report
- 08/08/23 POST CASE: Eric Wilen Atmos Energy Corporation 2023 Atmos Energy KY PBR Annual Report 2020-00289
- 12/06/22 Order Entered: 1. Atmos's petitions for confidential treatment are granted in part. 2. The documents provided in response to Post-Hearing Request, Item 7 and 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. The material redacted from Atmos's August 9, 2022 Annual Report and granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years, as opposed to the indefinite period requested, or until further Order of this Commission. 4. 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).
- 08/09/22 POST CASE: Eric Wilen Atmos Energy Corporation 2022 Atmos Energy KY PBR Annual Report Petition for Confidentiality
- 08/09/22 POST CASE: Eric Wilen Atmos Energy Corporation 2022 Atmos Energy KY PBR Annual Report 2020-00289
- 06/20/22 Final Order Entered: 1. Atmos' proposal to extend the PBR mechanism without modification is denied. 2. The current gas cost sharing calculation shall be modified as required herein, so that variances from 0 to 9.4 percent of Atmos' actual gas costs are shared 70 percent to ratepayers and 30 percent to shareholders, with sharing thereafter allocated 50/50 between Atmos and its customers. 3. Atmos' PBR tariff shall be modified to explicitly state the date the PBR mechanism approved and extended herein expires. 4. Atmos' PBR mechanism, with the modifications required herein, is approved and effective on the date of this order through May 31, 2025. 5. Atmos shall file annual reports of its activity under the extended PBR including the same information as contained in the report filed in this proceeding. These reports shall be filed by August 31 of each calendar year, commencing in 2022. 6. Within 60 days after May 31, 2024, Atmos shall file an evaluation report on the results of the PBR mechanism for the PBR years ending in 2021 through 2024. This report shall be considered in any proceeding established to continue, modify, or terminate the PBR mechanism.
- 03/02/22 Eric Wilen Atmos Energy Corporation Atmos Energy Reply Brief 2020-00289
- 02/28/22 Angela M. Goad Office of the Attorney General OAG Post-Hearing Position
- 02/18/22 Jo Lanz Atmos Energy Corporation 2020-0089 Atmos Energy Post-Hearing Brief
- 02/16/22 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Petition for Confidentiality Responses to Staff Post-Hearing Set 1
- 02/16/22 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Responses to Staff Post-Hearing Set 1
- 02/10/22 Notice of Filing Hearing Documents
- 02/08/22 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Revised Response to AG DR 1-13
- 02/07/22 Order Entered: 1. Atmos' petitions for confidential treatment are granted in part and denied in part. 2. Atmos' petitions for confidential treatment for its 2020 Annual Report, Four- Year Evaluation, Exhibit A, 2021 Annual Report, and documents provided in Response to Staff's First Request Items 1 and 9, Attorney General's First Request Item 26, Staff's Second Request Item 1, and Attorney General's

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Second Request Item 6 are granted. 3. Atmos' petition for confidential treatment for the document provided in response to Attorney General's First Request Item 13 is denied. 4. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for ten years or until further Order of this Commission. 5. 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). 6. Atmos shall inform the Commission if the designated material granted confidential treatment becomes publicly available or no longer qualifies for confidential treatment.

02/02/22 COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO ATMOS ENERGY CORPORATION

01/28/22 Order Entered: 1. Post-hearing data requests, if any, shall be filed on or before February 2, 2022. 2. Responses to post-hearing data requests shall be filed on or before February 16, 2022. 3. Counsel for Atmos may file a memorandum brief in support of Atmos's post-hearing position on or before February 18, 2022. 4. The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), may file a memorandum brief in support of its post-hearing position on or before February 28, 2022. 5. Counsel for Atmos may file a reply to the Attorney General's brief, if any, on or before March 7, 2022. 6. This case shall stand submitted for a decision by the Commission effective 12:01 a.m., March 8, 2022.

01/19/22 Eric Wilen Atmos Energy Corporation Atmos Energy Hearing Notice Tear Sheets 2020-00289

01/18/22 John Hughes Atmos Energy KBA PHV receipt

01/14/22 Eric Wilen Atmos Energy Corporation Atmos Energy Responses to Staff DR Set 3 2020-00289

01/13/22 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Kevin Frank Pro Hac Vice Motion

01/05/22 Eric Wilen Atmos Energy Corporation Atmos Energy Request for Hearing Notice Publication 2020-00289

12/17/21 Order Entered: 1. A hearing in this matter shall be held virtually on January 27, 2022, at 9 a.m. Eastern Standard Time. 2. Commission Staff shall provide the parties with details for joining the hearing via video link. 3. Atmos shall file no later than January 14, 2022, responses to Commission Staff's Third Request for Information, attached to this Order as an Appendix. 4. Atmos shall give notice of the hearing in compliance with 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and may be viewed on the PSC website, psc.ky.gov"; and "Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listed on the PSC website, psc.ky.gov." At the time the notice is mailed or publication is requested, Atmos shall forward a duplicate of the notice and request to the Commission. 5. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video transcript shall be made of the hearing.

08/25/21 Eric Wilen Atmos Energy Corporation 2020-00289 - Atmos Energy Annual Performance Based Rates (BPR) Filing

03/25/21 Eric Wilen Atmos Energy Corporation Atmos Energy Performance Based Rates Brief 2020-00289

03/25/21 J. Michael West Office of the Attorney General OAGs Comment

03/22/21 Order Entered: 1. The parties' joint request is granted in part. 2. The parties shall file simultaneous briefs on March 25, 2021. 3. The Commission may take additional evidence in this matter through written requests for information or at a hearing set pursuant to a subsequent order.

02/23/21 Angela M. Goad Office of the Attorney General OAG and Atmos Amended Joint Statement Regarding Submission of Case and Motion to File Briefs

01/15/21 Angela M. Goad Office of the Attorney General OAG and Atmos Joint Statement Regarding Submission of Case

12/21/20 Eric Wilen Atmos Energy Corporation Atmos Energy Responses to AG Set 2 2020-00289 Petition for Confidentiality

12/21/20 Eric Wilen Atmos Energy Corporation Atmos Energy Responses to Staff Set 2 2020-00289 Petition for Confidentiality

12/18/20 Eric Wilen Atmos Energy Corporation Atmos Energy Responses to AG Set 2 2020-00289

12/18/20 Eric Wilen Atmos Energy Corporation Atmos Energy Responses to Staff Set 2 2020-00289

12/03/20 Commission Staff's Second Request for Information to Atmos Energy Corporation

12/03/20 Angela M. Goad Office of the Attorney General OAG Second Request for Information

11/13/20 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Responses to Staff Set 1

11/13/20 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Responses to AG DR Set 1

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10/30/20 Commission Staff's First Request for Information to Atmos Energy Corporation  
 10/29/20 Angela M. Goad Office of the Attorney General First Request for Information  
 10/19/20 Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. a. Responses to requests for information shall be appropriately bound, tabbed, and indexed, with the original and an electronic version to the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked. Each response shall include the name of the witness responsible for responding to the questions related to the information provided. b. Each response shall be answered under oath, or for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry. c. Any party shall make timely amendment to any prior response if it obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

10/07/20 Angela M. Goad Office of the Attorney General Waiver of Service by U.S. Mail  
 10/02/20 Order Entered: 1. The motion of the Attorney General to intervene is granted. 2. The Attorney General shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Attorney General shall comply with all provisions of the Commission's regulations, 807 KAR 5:001, Section 8, related to the service and electronic filing of documents. 4. Pursuant to 807 KAR 5:001, Section 8(9), within seven days of entry of this Order, the Attorney General shall file a written statement with the Commission that:  
 a. Certifies that it, or its agent, possesses the facilities to receive electronic transmissions; and  
 b. Sets forth the electronic mail address to which all electronic notices and messages related to this proceeding should be served.

09/08/20 Angela M. Goad Office of the Attorney General Motion to Intervene  
 08/31/20 Eric Wilen Atmos Energy Corporation 2020-00289 Atmos Energy Submission of Annual and Four Year Term Reports and Motion to Modify and Extend the Performance Based Ratemaking Mechanism  
 08/28/20 Acknowledge Receipt of Filing  
 08/28/20 Atmos Energy Corporation Notice of Intent to File an Application for Performance Based Ratemaking Mechanism Using Electronic Filing Procedures

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 Total Number of Cases: 1