

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MODIFICATION TO WESTERN KENTUCKY)
GAS COMPANY, A DIVISION OF ATMOS)
ENERGY CORPORATION, GAS COST)
ADJUSTMENT TO INCORPORATE AN) CASE NO. 2001-317
EXPERIMENTAL PERFORMANCE BASED)
RATEMAKING MECHANISM (PBR))

O R D E R

On September 28, 2001, Western Kentucky Gas Company ("Western") submitted its Report and Motion to modify and extend its experimental performance-based rate-making mechanism ("PBR"). Western proposes the addition of a new Storage Development and Cost Recovery Mechanism within the PBR and extension of the PBR for a period of five years commencing April 1, 2002. Pursuant to KRS 278.180(1), no change can be made in any rate by a utility except upon 30 days' notice to the Commission.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed. A public hearing, if needed, shall be scheduled at a later date.

2. All requests for information and responses thereto shall be appropriately indexed. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to the questions related to

the information provided, with copies to all parties of record and 10 copies to the Commission.

3. Any party filing testimony shall file an original and 10 copies. The original and at least three copies of the testimony shall be filed as follows:

- a. Together with cover letter listing each person presenting testimony.
- b. Bound in 3-ring binders or with any other fastener which readily opens and closes to facilitate easy copying.
- c. Each witness's testimony should be tabbed.
- d. Every exhibit to each witness's testimony should be appropriately marked.

4. Western shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Western shall forward a duplicate of the notice and request to the Commission.

5. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

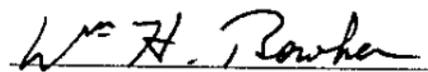
6. Western is hereby put on notice that the Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of compelling reasons.

7. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 15th day of October, 2001.

By the Commission

ATTEST:


Deputy Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2001-317 DATED OCTOBER 15, 2001

All initial requests for information to Western
shall be filed no later than.....October 26, 2001

Western shall file responses to initial requests
for information no later than.....November 9, 2001

All supplemental requests for information to
Western shall be filed no later than.....November 26, 2001

Western shall file responses to supplemental
requests for information no later than.....December 7, 2001

Intervenor testimony, if any, in verified prepared form
shall be filed no later than.....December 21, 2001

All requests for information to Intervenors shall be
filed no later than.....January 11, 2002

Intervenors shall file responses to requests for
information no later than.....January 25, 2002

Western rebuttal testimony, if any, in verified prepared form
shall be filed no later than.....February 4, 2002