

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. 2001-00317
EXPERIMENTAL PERFORMANCE-BASED)
RATEMAKING MECHANISM (PBR))

O R D E R

On February 4, 2002, Western Kentucky Gas Company (Western) moved the Commission to cancel the hearing scheduled for February 19, 2002 and to suspend the procedural schedule established by the Commission in its Orders dated October 15, 2001 and January 18, 2002. In support of its motion, Western states that the parties are negotiating a settlement of all issues in the case and that they anticipate finalizing a settlement agreement in the near future. Western states that it wishes to reserve the right to file rebuttal testimony in the event the parties are unable to reach a settlement or in the event the Commission does not approve a tendered settlement. Having considered the motion and being otherwise sufficiently advised, the Commission finds that Western s motion should be granted.

IT IS THEREFORE ORDERED that, until further Order of the Commission, the procedural schedule established by the Commission is suspended, including Western s right to file rebuttal testimony, and the hearing scheduled on February 19, 2002, at 9:00 a.m., Eastern Standard Time, is cancelled.

Done at Frankfort, Kentucky, this 7th day of February, 2002.

By the Commission

ATTEST:

Deputy W. H. Bowen
Executive Director