

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE OFFICE OF ATTORNEY GENERAL)	
THE COMMONWEALTH OF KENTUCKY)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2005-00057
)	
ATMOS ENERGY CORPORATION)	
)	
DEFENDANT)	

O R D E R

On May 15, 2006, Atmos Energy Corporation (“Atmos”) filed its responses to the Attorney General’s (“AG”) March 14, 2006 initial data request. The Commission has observed that several of Atmos’s responses include the following statement: “In accordance with the Commission’s Order in this Case, dated May 9, 2006, the Company is providing the attached information for the test year, the fiscal year prior to the test year and the actual months after the test year through December 2005.”

It appears to the Commission that Atmos has interpreted the findings of our May 9, 2006 Order differently than the Commission intended. The May 9, 2006 Order states, “[w]e find, therefore, that Atmos should be required to provide information for the test year, the 12 months prior to the test year, and actual data through the end of the first

quarter 2006.”¹ It appears that Atmos has interpreted the reference to “the end of the first quarter 2006” to mean its fiscal year first quarter 2006, which ended December 31, 2005. The Commission intended the “end of the first quarter 2006” to mean March 31, 2006.

The only reference to Atmos’s fiscal years in the May 9, 2006 Order was to the information to be provided in response to AG Data Request Nos. 66 and 67. With regard to all other requests, the Commission stated the information was to be provided for the test year, the 12 months prior to the test year, and the months through the end of the first quarter 2006.

Therefore, the Commission, upon its own motion, clarifies its May 9, 2006 Order to the extent that, except for the responses to AG Data Request Nos. 66 and 67, the financial information to be provided by Atmos is to cover the months subsequent to test-year end through March 31, 2006. The Commission finds that Atmos should amend its data responses to provide the additional information to the AG no later than June 1, 2006.

IT IS THEREFORE ORDERED that:

1. The May 9, 2006 Order is clarified to the extent that references to “the end of the first quarter 2006” shall mean “through March 31, 2006.”
2. Atmos shall amend its data responses to the AG to reflect the additional months and shall file its amended responses no later than June 1, 2006.
3. All other findings of the May 9, 2006 Order shall remain in full force.

¹ May 9, 2006 Order at 3. The same language is contained in ordering paragraph 4.

Done at Frankfort, Kentucky, this 22nd day of May, 2006.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Executive Director