

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	)	

ORDER

On March 3, 2006, the Commission entered an Order approving a procedural schedule that had been agreed upon by the parties to this proceeding. On November 17, 2006, Atmos Energy Corporation (“Atmos”) filed a motion to dismiss this proceeding and requested that the Commission hold the procedural schedule in abeyance pending a decision on the motion.

Having considered the motion and being otherwise sufficiently advised, the Commission finds that the Attorney General should be provided an opportunity to respond to the motion to dismiss and that it is reasonable to hold the procedural schedule in abeyance pending the Commission’s decision on the motion.

IT IS THEREFORE ORDERED that:

1. The Attorney General shall file a response to the motion to dismiss no later than December 4, 2006.

2. The procedural schedule approved on March 3, 2006 shall be held in abeyance until the Commission renders its decision on Atmos's motion to dismiss.

Done at Frankfort, Kentucky, this 28<sup>th</sup> day of November, 2006.

By the Commission

ATTEST:



Executive Director