

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	
CORPORATION FOR AN ORDER	)	CASE NO.
AUTHORIZING THE IMPLEMENTATION OF	)	2018-00280
\$3,000,000,000 UNIVERSAL SHELF	)	
REGISTRATION	)	

ORDER

On August 29, 2019, Atmos Energy Corporation (Atmos) filed a petition, pursuant to 807 KAR 5:001, Section 13, requesting that the Commission grant confidential protection until November 13, 2019, to portions of a report relating to the issuance of securities that are required by a previous Order entered on September 19, 2018 (Report).

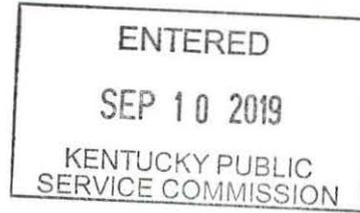
As a basis for its request, Atmos explained that information regarding the issuance of smaller increments of stocks, including the price paid, is included in Atmos's quarterly 10Q filings. Atmos further explained that the next 10Q filing would be outside the ten-day window for reporting stock issuance to the Commission. Atmos asserted that publicly disclosing the price paid for the stock issuances between 10Q filings would result in commercial harm because its stock prices would be vulnerable to manipulations. Atmos requested that the Report be treated as confidential until Atmos's next 10Q filing on November 13, 2019.

Having carefully considered the petition and the materials at issue, the Commission finds that the Report is generally recognized as confidential or proprietary, and therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to KRS 61.878(1)(c)(1) and 807 KAR 5:001, Section 13.

IT IS THEREFORE ORDERED that:

1. Atmos's petition for confidential protection is granted.
2. The designated information shall not be placed in the public record or made available for public inspection until November 13, 2019, or until further Order of this Commission.
3. Use of the material in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Atmos shall inform the Commission if the material in question becomes publicly available or no longer qualifies for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, Atmos shall have 30 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Atmos is unable to make such demonstration, the requested materials shall be made available for inspection.
6. The Commission shall not make the requested material available for inspection for 30 days following an Order finding that the material no longer qualifies for confidential protection in order to allow Atmos to seek a remedy afforded by law.

By the Commission



ATTEST:

  
Executive Director

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