

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

Application of Atmos Energy Corporation)
for an Adjustment of Rates) Case No.
and Tariff Modifications) 2013-00148

ATMOS ENERGY CORPORATION'S MOTION FOR DEVIATION

Atmos Energy Corporation (Atmos Energy) by counsel, moves for an order granting a deviation from the requirements of 807 KAR 5001, Section 16, pursuant to 807 KAR 5:001(21). Atmos Energy provided the notice of the proposed rate and tariff changes to all of the newspapers in its service area to comply with the public notice requirements of 807 KAR 5:001(16). All of the newspapers published the full notice within the time limits of the regulation. However, one paper, the "Madisonville Messenger" published the initial notice on May 19, 2013. It did not publish the second and third notices until June 12 and June 16. Because the notice was not published for consecutive weeks, it does not comply with the requirements of the regulation.

Atmos Energy believes it has substantially complied with the regulation in providing it to the newspapers in sufficient time and in sufficient clarity for it to have been published in compliance with the regulation. In similar situations, the Commission has allowed a deviation from the strict requirements of the regulation. For example, in Case No. 2012-00022, dated August 22, 2012, Kentucky Utilities was granted a deviation where proper notice was made in the majority of newspapers, but not in all. Atmos Energy believes that publication of the notice three times over a period of approximately four weeks rather than three consecutive weeks is adequate to give any customer

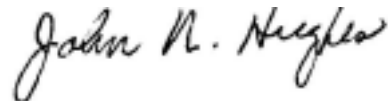
sufficient notice to pursue an interest in the subject matter of the application.

For these reasons, Atmos Energy moves for an order granting it a deviation from the notice publication requirements pursuant to 807 KAR 5:001(21).

Submitted by:

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