

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)
)
ELECTRONIC APPLICATION OF ATMOS) Case No. 2024-00276
ENERGY CORPORATION FOR AN)
ADJUSTMENT OF RATES; APPROVAL OF)
TARIFF REVISIONS; AND OTHER)
GENERAL RELIEF)

PETITION FOR CONFIDENTIALITY

Atmos Energy Corporation (“Atmos Energy” or “Company”), by counsel, pursuant to KRS 61.878 and 807 KAR 5:001(13) petitions the Commission for confidential protection of highlighted portions of Exhibit D.

BACKGROUND

Atmos Energy has entered into a special Economic Development Rider contract with one of its industrial customers, which was approved by the Commission on April 7, 2025 in Case No. 2024-00340¹ (April 7th Order). The Commission’s April 7th Order ordered the following:

In its current rate case, Case No. 2024-00276, Atmos shall anticipate its load and rate impact and file a detailed cost-of-service analysis demonstrating that its non-EDR ratepayers are not adversely affected by the EDR rate to OBCI.

Atmos Energy performed a cost analysis related to this special contract to determine whether the anticipated revenue from this customer will cover all variable costs incurred in serving this customer and also contribute toward the Company’s fixed costs. The results of that cost analysis are provided in the Excel spreadsheet being filed underseal. (“Confidential Information”)

¹ *In the Matter of: Electronic Application of Atmos Energy Corporation for Approval of Special Contract Pursuant to its Economic Development Rider*, Case No. 2024-00340, Order, (Ky. P.S.C. Apr. 7, 2025).

CONFIDENTIAL PROTECTION

The information contained in the Confidential Information is a cost study for the calculation of the margin generated as a result of the EDR being charged to this industrial customer.

The highlighted information for which confidential protection is sought is commercial information that if disclosed could cause substantial competitive harm to Atmos Energy. This information is not publicly available. Marginal energy production cost in the Confidential Information is not publicly disclosed. Disclosure would give market participants insight into the prices at which it is willing to buy and sell natural gas. These market participants could use that information to manipulate the bidding process, leading to higher costs or lower revenues. It would be difficult or impossible for someone to discover this information from other sources. If this information were available to competitors in this form, they could use it to the competitive detriment of Atmos Energy. This information is not generally disclosed to non-management employees of Atmos Energy and is protected internally by the Company as proprietary information. The disclosure of this proprietary information would result in significant or irreparable competitive harm to Atmos Energy by providing its competitors with non-reciprocal competitive advantage. No public purpose is served by the disclosure of such information.

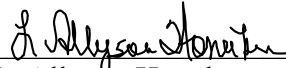
KRS 61.878 (1)(c) provides that “records confidentially disclosed to an agency or required by any agency to be disclosed to it, generally recognized as confidential or proprietary, which is openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records “shall remain confidential unless otherwise ordered by a court of competent jurisdiction.” The natural gas industry is very competitive. Atmos Energy has active competitors, who could use this information to their advantage and to the direct disadvantage of Atmos. Atmos

would be at a competitive threat of loss of business due to the ability of its competitors to leverage the information to their advantage. The public disclosure of the critical monetary terms would create an unfair advantage to those competitors. For these reasons, calculation of the margins associated with the contract is exempt from public disclosure pursuant to KRS 61.878(c)(1). Similar information related to an EDR contract was granted confidential treatment in Atmos Case No. 2019-00145.

Atmos Energy requests that the information marked Confidential be held confidentially indefinitely. The statutes cited above do not allow for disclosure at any time. Given the competitive nature of the natural gas business and the efforts of non-regulated competitors to encroach upon traditional markets, it is imperative that regulated information remain protected and that the integrity of the information remain secure.

For those reasons, Atmos Energy requests that the information contained in Exhibits D and E be treated as confidential.

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