

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>ELECTRONIC PURCHASED GAS</b>	)	
<b>ADJUSTMENT FILING OF ATMOS</b>	)	<b>Case No. 2025-00402</b>
<b>ENERGY CORPORATION</b>	)	
	)	

**ATMOS ENERGY'S MOTION FOR CONFIDENTIAL TREATMENT**

Comes now Atmos Energy Corporation (“Atmos Energy”), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and requests that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain information filed in its responses to Commission Staff’s First Request for Information (“Staff’s First Request”). In support of the motion Atmos Energy respectfully states as follows:

1. On December 30, 2025, Atmos Energy filed its Application for its Gas Cost Adjustment (“GCA”) for the period of February 1, 2026, through April 30, 2026. On January 14, 2026, Commission Staff issued Staff’s First Request. Atmos Energy is providing its responses contemporaneously with this Motion.
2. As part of Atmos Energy’s responses, Atmos Energy is providing detailed information that Atmos Energy believes is confidential and should not be publicly disclosed. Atmos Energy is supplying a PDF containing the information for the requested time periods. These documents contain confidential supplier pricing information, confidential support containing Asset Management Agreement (“AMA”) pricing support, as well as a collection of invoices reflecting supplier pricing (collectively the “Confidential Information”).

3. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(c)(1); KRS 61.878(1)(k); KRS 61.878(1)(m); *Zink v. Department of Workers Claims, Labor Cabinet*, 902 S.W.2d 825 (Ky. App. 1994); and, *Hoy v. Kentucky Industrial Revitalization Authority*, 907 S.W.2d 766 (Ky. 1995). The public disclosure of the Confidential Information would potentially harm Atmos Energy's competitive position in the marketplace which would be to the detriment of Atmos Energy. Additionally, the Confidential Information is publicly unavailable, and its confidentiality is critical to Atmos Energy's effective execution of business decisions and strategy. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

4. Atmos Energy believes the Confidential Information should be granted confidential treatment pursuant to KRS 61.878(1)(c)(1) because disclosure of supplier pricing information would result in competitive harm to Atmos Energy in negotiating contracts with suppliers in the future and competitors will gain information regarding Atmos Energy's gas purchases, overall costs, and business strategies. This Commission has granted confidential treatment for this information in the past.<sup>1</sup>

5. Atmos Energy does not object to limited disclosure of the Confidential Information, pursuant to an acceptable confidentiality and nondisclosure agreement, to any intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case. However, as it is unknown who may or may not intervene in the case, Atmos Energy reserves the right to object to sharing the Confidential Information with any party that may have a mixed motive

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<sup>1</sup> Case No. 2020-00289, *Electronic Request of Amos Energy Corporation for Modification and Extension of its Gas Cost Adjustment Performance Based Ratemaking Mechanism*, December 6, 2022 Order (Ky. PSC December 6, 2022).

for accessing the Confidential Information, that may be a competitor of Atmos Energy in any market, who may have a commercial conflict of interest or for any other reason.

6. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Atmos Energy is providing one copy of the Confidential Information separately under seal. Since Atmos Energy is requesting confidential treatment for the entirety of the documents, a redacted copy is not being provided in the public record and the copies being filed under seal with the Commission do not contain highlights.

7. In accordance with the provisions of 807 KAR 5:001, Section 13(3), Atmos Energy respectfully requests that the documents be granted indefinite confidential protection. Given both the pipeline safety implications and the competitive nature of the natural gas business, it is necessary that the information remain confidential indefinitely.

WHEREFORE, on the basis of the foregoing, Atmos Energy respectfully requests the Commission to enter an Order granting this Motion for Confidential Treatment and to so afford such protection from public disclosure to the unredacted copies of Confidential Information, which is filed herewith under seal, for the periods set forth herein.

This the 21<sup>st</sup> day of January 2026.

Respectfully submitted,

*Heather S. Temple*

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**CERTIFICATE OF SERVICE**

This is to certify that the electronic filing has been transmitted to the Commission on January 21, 2026 and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means. Pursuant to prior Commission Orders no paper copies of this filing will be made.

*Heather S. Temple*

*Counsel, Atmos Energy Corporation*