

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

**In the Matter of:** )  
 )  
 **ELECTRONIC JOINT APPLICATION OF** ) **Case No. 2026-00061**  
 **ATMOS ENERGY CORPORATION AND** )  
 **MILLENNIUM ENERGY, INC. FOR** )  
 **APPROVAL OF THE TRANSFER OF** )  
 **OWNERSHIP AND CONTROL OF** )  
 **MILLENNIUM ENERGY, INC.** )

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

Comes now Atmos Energy Corporation (“Atmos Energy”) and Millennium Energy, Inc. (“Millennium”) (collectively, “the Parties”), 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 Application. In support of the motion Atmos Energy respectfully states as follows:

1. Contemporaneously with this Motion, Atmos Energy and Millennium are filing an application for a transfer of ownership and control. Atmos Energy and Millennium are providing the Purchase Agreement as Exhibit 5 to the Application. The Purchase Agreement contains information the parties believe is confidential and should not be publicly disclosed. Specifically, the Purchase Agreement, Exhibit A-1, Pipelines contains a map of the Millennium system. This is being referred to as the “Confidential Information” for which confidential protection is sought.

2. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(m)(1)(f); *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, 768 (Ky. 1995). The public disclosure of the

Confidential Information would disclose critical infrastructure of the natural gas supply lines. For these reasons, the Confidential Information satisfies both the statutory and common law standards for affording confidential treatment.

3. The Purchase Agreement, Exhibit A-1 contains a map of the Millennium natural gas distribution system. If disclosed this information would result in disclosure of critical infrastructure that if disclosed could result in a threat to public safety. This information should be exempt from disclosure pursuant to KRS 61.878(1)(m)(1)(f).

4. The Parties do 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 eventually intervene in the case, the Parties reserve the right to object to sharing the Confidential Information with any party that may have a mixed-motive 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.

5. In accordance with the provisions of 807 KAR 5:001, Section 13(2), the Parties are providing one copy of the Confidential Information separately under seal. The Parties are unable to highlight the confidential information because it is a map. The parties note the Purchase Agreement, Exhibit A-1 is found on page 25 of the confidential version of the Purchase Agreement that is being filed. The filing of the Confidential Information is noted in the public version of Atmos Energy's responses.

6. 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.

WHEREFORE, on the basis of the foregoing, Atmos Energy and Millennium 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 11<sup>th</sup> day of March 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 March 11, 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*