

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	
CORPORATION TO EXTEND ITS GAS	)	CASE NO.
COST ADJUSTMENT PERFORMANCE	)	2026-00244
BASED RATEMAKING MECHANISM	)	

MOTION FOR CONFIDENTIAL TREATMENT

Comes now Atmos Energy Corporation (“Atmos Energy or “the Company”), by and through counsel, pursuant to KRS 61.878, 807 KAR 5:001, Section 13 and other applicable law, and for its motion requesting that the Kentucky Public Service Commission (“Commission”) afford confidential treatment to certain information filed in its Application in this matter.

1. Contemporaneously with this filing, Atmos Energy filed its Application in this proceeding. Exhibit 3 contains Atmos Energy’s 2025 Annual Report of the Performance Based Ratemaking Mechanism (“PBR”) and Exhibit 4 contains its PBR Evaluation Report. Collectively, the information described above is designated as the “Confidential Information” for which protection is sought under KRS 61.878(1)(c)(1). Disclosure of the Confidential Information would permit an unfair commercial advantage to third parties and present an unnecessary and unreasonable infringement upon Atmos Energy’s legitimate privacy concerns.

2. The Kentucky Open Records Act and applicable precedent exempts the Confidential Information from disclosure, including KRS 61.878(1)(c)(1); *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). As stated above, the public disclosure of the Confidential Information would 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.

3. To fully report the results of the PBR program, Atmos Energy must disclose information regarding its gas supply contracts and pricing discounts. This information reveals elements of the Company's natural gas purchasing strategies and, if publicly disclosed, would have serious adverse consequences to Atmos Energy and its customers. If publicly disclosed then all other participants in the natural gas commodity market, including those participants who Atmos Energy must compete against to purchase its gas supplies for its customers or who Atmos Energy negotiates with to acquire its gas supplies for its customers, would have that information. Disclosure of this information would place Atmos Energy at a competitive disadvantage. The other participants in the natural gas commodity market, which is an unregulated and highly competitive marketplace, would have Atmos Energy's gas supply acquisition information. For these reasons, Exhibit 3 and Exhibit 4 should be confidential protection pursuant to KRS 61.878(1)(c)(1).

4. Additionally, the Commission has found the information provided in Exhibit 3 and Exhibit 4 should be granted confidential protection in other proceedings.¹ Nothing has occurred since the Commission granted confidential protection to this type of information that would now disqualify it from protection.

¹ *Electronic Request of Atmos Energy Corporation for Modification and Extension of its Gas Cost Adjustment Performance Based Ratemaking Mechanism*, Case No. 2020-00289, Order (Ky. P.S.C. July 8, 2026).

5. The Confidential Information consists of sensitive and proprietary information that is retained by Atmos Energy on a “need-to-know” basis. The Confidential Information is distributed within Atmos Energy only to those employees who must have access for business reasons and is generally recognized as confidential and proprietary in the energy industry.

6. Atmos Energy does not object to limited disclosure of the Confidential Information, pursuant to an acceptable confidentiality and nondisclosure agreement, to intervenors with a legitimate interest in reviewing same for the sole purpose of participating in this case. Atmos Energy reserves the right to object to providing the Confidential Information to any intervenor if said provision could result in liability to Atmos Energy under any Confidentiality Agreement or Non-Disclosure Agreement.

7. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Atmos Energy is filing separately under seal one (1) unredacted copy of Exhibit 3 and Exhibit 4. The documents are not being provided with highlights because confidential treatment is being requested for the entirety of the documents. Atmos Energy noted in the public version of the filing the confidential responses.

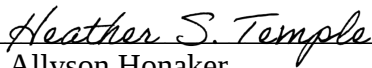
8. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Atmos Energy respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period.

9. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Atmos Energy will notify the Commission and have its confidential status removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Atmos Energy respectfully requests that the Commission classify and protect as confidential the Confidential Information described herein for an indefinite period.

This the 28th day of September 2026.

Respectfully submitted,

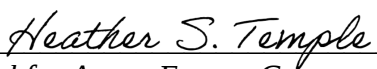


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CERTIFICATE OF SERVICE

This is to certify that the foregoing electronic filing was transmitted to the Commission on September 28, 2026, and that there are no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to prior Commission Orders, no paper copies of this filing will be made.



Counsel for Atmos Energy Corporation