



February 24, 2009

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PUBLIC SERVICE  
COMMISSION

Honorable Elizabeth O'Donnell  
Executive Director  
211 Sower Boulevard  
Frankfort, KY 40602-0615

Re: Atmos Energy Corporation  
Case No. 2002-00128

Dear Ms. O'Donnell:

Pursuant to the Order of the Commonwealth of Kentucky dated May 20, 2002 in the above referenced docket, enclosed is the report of action for Atmos Energy Corporation for the period October 1, 2008 through December 31, 2008.

If you have any questions or require further information, please do not hesitate to contact me at (972) 855-9755. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Smith", written over a horizontal line.

Robert J. Smith  
Assistant Treasurer

Enclosures

**COMMONWEALTH OF KENTUCKY  
PUBLIC SERVICE COMMISSION**

Application of Atmos Energy Corporation (Atmos), through its division, Western Kentucky Gas Company of Owensboro, Kentucky, for an order authorizing the creation and issuance of up to 2,500,000 shares of common stock through its 1998 Long-Term Incentive Plan

Case No. 2002-00128

**REPORT OF ACTION  
Prepared February 24, 2009**

Reference is made to the order entered into on May 20, 2002 that Atmos Energy Corporation ("Atmos"), through its division, Western Kentucky Gas Company ("Western") reports that the Company is authorized to create and issue up to 2,500,000 shares of common stock through its 1998 Long-Term Incentive Plan.

For the period October 1, 2008 through December 31, 2008, Atmos reports that there were 520,124 shares exercised under the authority granted by this docket from 1998 Long-Term Incentive Plan with \$7,269,384.00 increase in capital stock. The aggregate number of shares authorized but not issued under Docket 2002-00128 was 592,139 as of December 31, 2008.

Atmos Energy Corporation

  
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Robert J. Smith  
Assistant Treasurer