

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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MAY 13 2010

PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY)
CORPORATION FOR AN ADJUSTMENT) CASE NO. 2009-00354
OF GAS RATES)

ATTORNEY GENERAL'S
NOTICE OF CLARIFICATION

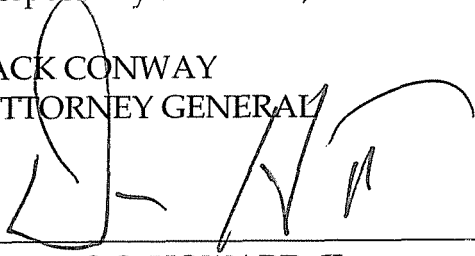
Comes now the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention, and provides this notice of clarification of his statements made during the hearing held in the instant matter on August 11th. In particular, when the Commission inquired about its authority to approve that portion of the settlement pertaining to the awarding of litigation costs to the Attorney General from Atmos' shareholders, Assistant Deputy Attorney General Thomas stated that the Commission had specific statutory authority as well as inherent authority to do so. The latter was an inadvertent statement. What was meant to be stated was that the Commission has the specific statutory authority under KRS 278.190 to approve the statement including all the paragraphs therein.

Specifically, Atmos has filed for an increase in base rates pursuant to KRS 278.190. Following extensive discovery, the parties engaged in settlement talks which ultimately lead to an agreement amongst the parties on rates lower than those which the company originally requested. This agreement has now been

submitted for the Commission's approval under its specific statutory authority,
KRS 278.190.

Respectfully submitted,

JACK CONWAY
ATTORNEY GENERAL



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Certificate of Service and Filing

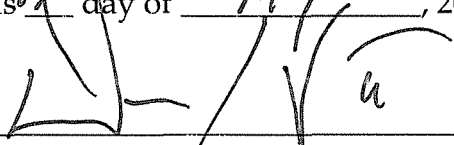
Counsel certifies that an original and ten photocopies of this Notice of Clarification were served and filed by hand delivery to Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40601; counsel further states that true and accurate copies of the foregoing were mailed via First Class U.S. Mail, postage pre-paid, to:

John N Hughes
124 West Todd Street
Frankfort KY 40601

Mark R Hutchinson
Wilson, Hutchinson & Poteat
611 Frederica Street
Owensboro KY 42301

Douglas Walther
Atmos Energy Corporation
P.O. Box 650205
Dallas TX 75265-0205

this 13th day of May, 2010.



Assistant Attorney General