



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**

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Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
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David L. Armstrong  
Chairman

James Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

January 5, 2010

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

RE: Case No. 2009-00536  
Atmos Energy Corporation

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

JD/tw  
Enclosure



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January 5, 2010

Mark Martin  
VP Rates & Regulatory Affairs  
Atmos Energy Corporation  
3275 Highland Pointe Drive  
Owensboro, KY 42303

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Sincerely,

A handwritten signature in black ink, appearing to read "J. Derouen".

Jeff Derouen  
Executive Director

JD/tw  
Enclosure

**RECEIVED**

DEC 22 2009

PUBLIC SERVICE  
COMMISSION

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF KENTUCKY**

IN THE MATTER OF THE APPLICATION )  
OF ATMOS ENERGY CORPORATION )  
FOR AN ORDER AUTHORIZING THE )  
ISSUANCE OF UP TO 2,000,000 )  
SHARES OF COMMON STOCK )  
THROUGH THE ATMOS ENERGY )  
CORPORATION RETIREMENT SAVINGS )  
PLAN )

CASE NO. 2009- 00536

**FILED**

DEC 22 2009

PUBLIC SERVICE  
COMMISSION

**APPLICATION**

1. Pursuant to KRS 278.300, and all other applicable law, Atmos Energy Corporation ("Applicant" or "Atmos"), files its Application herein for an Order authorizing the issuance of up to 2,000,000 additional shares of Common Stock, no par value, of Applicant (the "Shares") through and pursuant to the Atmos Energy Corporation Retirement Savings Plan and Trust ("RSP").

2. Atmos seeks an Order of the Commission granting it the authority to issue up to 2, 000,000 shares of no par value Common Stock of the Company pursuant to the RSP. The RSP is intended to meet the requirements of Sections 401(a) and 501(a) of the Internal Revenue Code of 1986, as amended, and was adopted by Applicant on October 18, 1983. Under the terms of the RSP, Applicant will match every dollar invested by an employee in the RSP up to a maximum of 4% of the employee's annual salary. The RSP therefore provides Applicant's employees with a systematic means of providing additional security for retirement or future financial needs and an opportunity to become stockholders in Applicant, thereby strengthening their direct interest in the progress and success of Applicant. The Commission previously authorized the issuance of shares pursuant to the RSP in Case No. 2008-00222.