

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	CASE NO.
CORPORATION FOR AN ADJUSTMENT OF	)	2013-00148
RATES AND TARIFF MODIFICATIONS	)	

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On November 18, 2013, Atmos Energy Corporation ("Movant") moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, Movant states that the information it is requesting to be held confidential is contained in its Supplemental Responses to the Attorney General's Initial Requests for Information, Item 212; that the information sought refers to specific customer information, including customer name and other customer identifiable information, and that disclosure would invade the privacy rights of the customers involved; that the contracts are not publicly available and are not generally disclosed to non-management employees of Movant; that it would be difficult or impossible for someone to discover this information from other sources; and, that this information includes the stamped, special contracts which have been identified by customer and correspond to previously filed confidential contracts and that now include the confidential cost analysis. Movant points out that the Commission has previously

determined that this information should be granted confidential protection.¹

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which Movant seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1) and 807 KAR 5:001, Section 13.

2. The materials for which Movant seeks confidential treatment should not be placed in the public record or made available for public inspection for an indefinite period of time due to the private and proprietary nature of the information requested to be held confidential, the disclosure of which could result in an invasion of privacy of its customers and competitive harm to Movant.

IT IS THEREFORE ORDERED that:

1. Movant's motion for confidential protection is hereby granted.

2. The materials for which Movant seeks confidential treatment shall neither be placed in the public record nor made available for public inspection for an indefinite period of time.

3. Use of the materials in question in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).

4. Movant shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

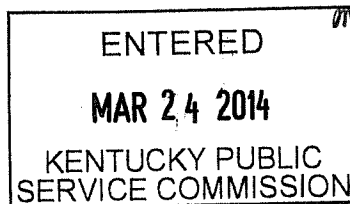
5. If a non-party to this proceeding requests to inspect materials granted

¹ On Aug. 28, 2013 and Sept. 23, 2013, Atmos Energy Corporation ("Movant") moved for confidential protection of certain of its responses to the Attorney General's first data request, including its response to Item 212. On Nov. 25, 2013, the Commission granted Movant's motion and afforded confidential protection to its response to Item 212.

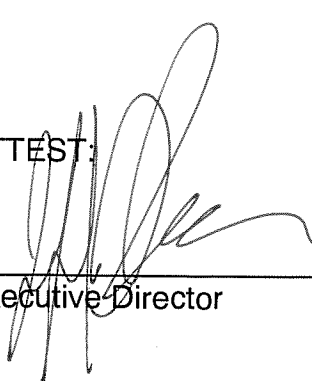
confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, the Movant shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movant is unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movant to seek a remedy afforded by law.

By the Commission



ATTEST:



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