

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ATMOS	)	
ENERGY CORPORATION FOR A GENERAL	)	CASE NO.
ADJUSTMENT IN RATES	)	2017-00349

ORDER

On October 4, 2017, Atmos Energy Corporation ("Atmos") filed a motion requesting to deviate from the requirements set forth in 807 KAR 5:011, Section 8(2)(b)(3), for publication of notice. By letter dated October 3, 2017, Atmos's application for a general rate adjustment tendered on September 28, 2017, was rejected because, among other things, the public notice of the rate adjustment to the research and development rider ("R&D Rider") omitted the dollar amount of rate change and provided an incorrect percentage for the proposed change, in contravention of 807 KAR 5:001, Section 17(4)(c). In its motion for deviation, Atmos requests Commission approval to publish a corrected notice in a newspaper of general circulation for two consecutive weeks, rather than the three consecutive weeks required by 807 KAR 5:011, Section 8(2)(b)(3).

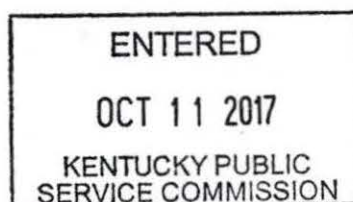
As a basis for its motion, Atmos states that the first publication occurred the week of October 2, 2017. Atmos further states that it notified the Kentucky Press Association to insert the corrected notice for the final two weeks of publication, which are the weeks of October 9 and October 16, 2017. Atmos argues that the modified publication substantially complies with the substantive requirements of the notice regulation. Atmos

further argues that the error is minor and does not have a significant impact on customer understanding of the proposed changes to the R&D Tariff. Additionally, Atmos cited to previous cases where the Commission granted a deviation after finding substantial compliance with notice requirements.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Atmos established good cause and that its request to deviate from the notice requirements of 807 KAR 5:011, Section 8(2)(b)(3), should be granted. Considering that the proposed rates listed in the original notice were correct and the remainder of the notice complied with notice requirements, publishing the corrected notice twice, rather than three times, is sufficient to inform Atmos's customers and allow for written comments to be filed with the Commission.

IT IS THEREFORE ORDERED that Atmos's motion to deviate from 807 KAR 5:011, Section 8(2)(b)(3), is granted.

By the Commission



ATTEST:

  
Executive Director

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