

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF ATMOS ENERGY	)	
CORPORATION FOR APPROVAL AND	)	
CONFIDENTIAL TREATMENT OF A SPECIAL	)	CASE NO.
CONTRACT AND COST ANALYSIS	)	2020-00023
INFORMATION SUBMITTED TO THE KENTUCKY	)	
PUBLIC SERVICE COMMISSION	)	

ORDER

On January 23, 2020, Atmos Energy Corporation (Atmos) filed with the Commission an application to approve a special contract with one of its industrial customers.<sup>1</sup> Atmos asserts in the application that the proposed contract will replace an existing contract that the Commission previously approved.<sup>2</sup> On January 31, 2020, the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General) filed a motion to intervene in the pending case.

Having reviewed Atmos's proposed special contract, we find that further proceedings are necessary to determine its reasonableness. In order to facilitate this review, we also find that a procedural schedule should be established, which is attached hereto as an Appendix to this Order and incorporated herein.

All requests for intervention should be filed by February 14, 2020. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the

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<sup>1</sup> Application at 1.

<sup>2</sup> *Id.*

proceedings which is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Further, KRS 278.040(2) requires that a person seeking intervention must have an interest in the rates or service of a utility, as those are the only matters that are subject to the Commission's jurisdiction.

Based on the foregoing, the Commission further finds that any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not adequately represented, or the issues and facts the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of natural gas consumed by the movant or a general statement regarding a potential impact of a possible modification of rates will not be deemed sufficient to establish a special interest.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed in this case.
2. Any motion to intervene filed after February 14, 2020, shall show a basis for intervention and good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.
3. a. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed and shall include the name of the witness who will be responsible for responding to questions related to the information provided, with the original and ten copies of the following information, with a copy to all parties of record.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

f. Any party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that the personal information cannot be read.

4. Atmos shall give notice of any hearing in accordance with the provisions set out in 807 KAR 5:001, Section 9(2)(b). In addition, the notice of hearing shall include the following statement: "This hearing will be streamed live and may be viewed on the PSC

website, psc.ky.gov.” At the time publication is requested, Atmos shall forward a duplicate of the notice and request to the Commission.

5. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

8. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission

ENTERED  
FEB 07 2020  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2020-00023 DATED FEB 07 2020

- A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11), no later than .....02/14/20
- All initial requests for information to Atmos shall be filed no later than.....02/28/20
- Atmos shall file responses to initial requests for information no later than .....03/13/20
- All supplemental requests for information to Atmos shall be filed no later than.....03/27/20
- Atmos shall file responses to supplemental requests for information no later than.....04/10/20
- Intervenor testimony, if any, in verified prepared form, shall be filed no later than .....04/24/20
- All requests for information to Intervenors shall be filed no later than.....05/08/20
- Intervenors shall file responses to requests for information no later than.....05/22/20
- Atmos shall file rebuttal testimony, if any, no later than.....06/05/20
- Atmos or any Intervenor shall request either a hearing or file a statement that this case may be submitted for a decision based on the existing record no later than.....06/12/20

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