



February 19, 2010

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PUBLIC SERVICE
COMMISSION

Honorable Elizabeth O'Donnell
Executive Director
211 Sower Boulevard
Frankfort, KY 40602-0615


Re: Atmos Energy Corporation
Case No. 2002-00128

Dear Ms. O'Donnell:

Pursuant to the Order of the Commonwealth of Kentucky dated May 20, 2002 in the above referenced docket, enclosed is the report of action for Atmos Energy Corporation for the period October 1, 2009 through December 31, 2009.

If you have any questions or require further information, please do not hesitate to contact me at (972) 855-9755. Thank you for your assistance.

Sincerely,


Robert J. Smith
Assistant Treasurer

Enclosures

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**COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION**

FEB 01 2010

PUBLIC SERVICE
COMMISSION

Application of Atmos Energy Corporation (Atmos), through its division, Western Kentucky Gas Company of Owensboro, Kentucky, for an order authorizing the creation and issuance of up to 2,500,000 shares of common stock through its 1998 Long-Term Incentive Plan

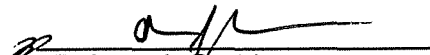
Case No. 2002-00128

**REPORT OF ACTION
Prepared February 24, 2010**

Reference is made to the order entered into on May 20, 2002 that Atmos Energy Corporation ("Atmos"), through its division, Western Kentucky Gas Company ("Western") reports that the Company is authorized to create and issue up to 2,500,000 shares of common stock through its 1998 Long-Term Incentive Plan.

For the period October 1, 2009 through December 31, 2009, Atmos reports that there were 259,550 shares exercised under the authority granted by this docket from 1998 Long-Term Incentive Plan with \$6,680,179.00 increase in capital stock. The aggregate number of shares authorized but not issued under Docket 2002-00128 was 182,541 as of December 31, 2009.

Atmos Energy Corporation


Robert J. Smith
Assistant Treasurer