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OVERNIGHT DELIVERY

September 29, 2011

Allison Honaker
Kentucky Public Service Commission
211 Sower Blvd.
PO Box 615
Frankfort, Kentucky 40602

RECEIVED

SEP 30 2011

PUBLIC SERVICE
COMMISSION

RE: **Atmos Energy Corporation**
Case No. 2010-00353
Performance Based Rate (PBR) Report

Dear Allison:

Enclosed is an original plus ten (10) copies of the Petition for Confidentiality that somehow did not get filed with the annual report on August 19, 2011. I have reproduced the original and had everything re-executed as of August 19, 2011, the date we originally endeavored to file it. If I need to do this in a different way just let me know. Hopefully this will work. Thanks.

Very truly yours,



Mark R. Hutchinson

c: Larry Cook

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

SEP 30 2011

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

MODIFICATION OF ATMOS ENERGY
CORPORATION'S GAS COST ADJUSTMENT
TO INCORPORATE PERFORMANCE-BASED
RATEMAKING MECHANISM (PBR)

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CASE NO. 2010-00353

**PETITION FOR CONFIDENTIALITY OF CERTAIN INFORMATION
BEING FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION
WITH THE ANNUAL REPORT ON ATMOS ENERGY CORPORATION'S
PERFORMANCE BASED
RATEMAKING MECHANISM**

Atmos Energy Corporation ("Atmos Energy" or "Company"), respectfully petitions the Kentucky Public Service Commission ("Commission"), pursuant to 807 KAR 5:001, Section 7, and all other applicable law, for confidential treatment of the information contained in the attached document. In support of this petition, Atmos Energy states as follows:

1. On December 7, 2010, the Commission entered an Order in case no. 2010-00353 approving an extension, as modified, of Atmos' Experimental Performance Based Ratemaking Mechanism ("PBR") for a period of five (5) years. The Commission's Order further required the Company to file annual reports on the on the results of the PBR program by August 31 of each year, commencing in 2011. The attached report

contains the quantitative results of Atmos' PBR program for the period of June, 2010 through May, 2011 and is filed in fulfillment of that requirement.

2. The Company's current gas supply contract is with a single source supplier, Atmos Energy Marketing, Inc. ("AEM"). It contains significant pricing discounts. In order to fully report to the Commission the results of the Company's current PBR program, disclosure of the discounts on gas purchases provided in the current supply contract is required. In order to protect the confidentiality of that information, not only must the discount themselves be redacted in the non-confidential version, but all information from which the discount could be calculated, must likewise be redacted. Since this information is both disclosed in, and determinable from, data appearing throughout the quantitative results contained in Exhibit "A", the entire Exhibit "A" has been redacted.

3. This type of information has been determined by the Commission in Atmos ' prior PBR proceedings to be entitled to confidential protection. Nothing has occurred since the Commission granted confidential protection to this type of information that would now disqualify it from protection. The Company accordingly petitions the Commission to again treat this information as confidential.

4. Pursuant to 807 KAR 5:001, Section 7 (3), temporary confidentiality of the information sought to be protected herein should be maintained until the Commission enters an orders as to this Petition. Once the order regarding confidentiality has been issued, Western would have twenty (20) days to seek alternative remedies pursuant to 807 KAR 5:0001, Section 7 (4).

WHEREFORE, Company petitions the Commission to treat as confidential the information contained in the attached.

Respectfully submitted this 19 day of August, 2011.



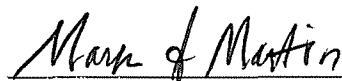
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Douglas Walther
Atmos Energy Corporation
P.O. Box 650250
Dallas, Texas 75265

Attorneys for Atmos Energy

VERIFICATION

I, Mark A. Martin, being duly sworn under oath state that I am Vice President of Rates and Regulatory Affairs Kentucky Midstates Division for Atmos Energy Corporation, and that the statements contained in the foregoing Petition are true as I verily believe.



Mark A. Martin

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of August, 2011, the original of this Petition, with the Confidential Information for which confidential treatment is sought, together

with eleven (11) copies of the Petition without the confidential information; were filed with the Kentucky Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602, and a true copy thereof mailed by first class mail to the following named persons:

Lawrence W. Cook
Assistant Attorney General
Office of Rate Intervention
1024 Capitol Center Drive
Suite 200
Frankfort, Kentucky 40601



Mark R. Hutchinson

Atmos Energy Corporation
 Kentucky Division
 PBR Results (June 2010 - May 2011)

	Commodity <u>Discount</u>	Transport <u>Discount</u>	Capacity <u>Release</u>	Total Monthly <u>Savings</u>	PRELIM EST Atmos KY <u>Share</u>
Jun-10	\$ 349,170.00	\$ 22,904.00	\$ 31,960.65	\$ 404,034.65	\$ 121,210.40
Jul-10	\$ 349,170.00	\$ 23,618.50	\$ 32,969.49	\$ 405,757.99	\$ 121,727.40
Aug-10	\$ 349,170.00	\$ 23,618.50	\$ 33,036.38	\$ 405,824.88	\$ 121,747.46
Sep-10	\$ 349,170.00	\$ 22,483.94	\$ 32,017.86	\$ 403,671.80	\$ 121,101.54
Oct-10	\$ 349,170.00	\$ 23,618.50	\$ 43,322.55	\$ 416,111.05	\$ 124,833.32
Nov-10	\$ 349,170.00	\$ 27,311.00	\$ 44,468.56	\$ 420,949.56	\$ 126,284.87
Dec-10	\$ 349,170.00	\$ 27,514.59	\$ 46,159.16	\$ 422,843.75	\$ 126,853.13
Jan-11	\$ 349,170.00	\$ 27,194.79	\$ 45,981.74	\$ 422,346.53	\$ 126,703.96
Feb-11	\$ 349,170.00	\$ 42,740.84	\$ 41,540.72	\$ 433,451.56	\$ 130,035.47
Mar-11	\$ 349,170.00	\$ 46,653.70	\$ 45,691.28	\$ 441,514.98	\$ 132,454.49
Apr-11	\$ 349,170.00	\$ 35,606.15	\$ 40,417.71	\$ 425,193.86	\$ 127,558.16
May-11	\$ 349,170.00	\$ 27,975.83	\$ 32,914.79	\$ 410,060.62	\$ 123,018.19
2010-2011 Total	<u>\$ 4,190,040.00</u>	<u>\$ 351,240.34</u>	<u>\$ 470,480.89</u>	<u>\$ 5,011,761.23</u>	<u>\$ 1,503,528.39</u>

CONFIDENTIAL