



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Linda Breathitt
Commissioner

January 10, 2014

Wilson, Hutchinson, Poteat & Littlepage
Attention: Mark R. Hutchinson
611 Frederica Street
Owensboro, KY 42301

Re: Atmos Energy Corporation
Petition for Confidential Protection received August 22, 2013
PSC Reference Case No. 2010-00353

Dear Mr. Hutchinson:

The Public Service Commission has received the Petition for Confidential Treatment you filed on August 22, 2013, on behalf of Atmos Energy Corporation ("Atmos") to protect certain information filed with the Commission as confidential pursuant to 807 KAR 5:001, Section 13.¹ As your request was submitted outside of a case, 807 KAR 5:001(13)(3) provides that the Commission's "executive director, as official custodian of the commission's records, shall determine if the material falls within the exclusions from disclosure requirements established in KRS 61.878 and the time period for which the material should be considered as confidential and shall advise the requestor of the determination by letter." This letter constitutes my determination of your request.

The information you seek to have treated as confidential is identified as being contained in Atmos' June 2012 - May 2013 annual report of the results of its Experimental Performance Based Ratemaking Mechanism ("PBR"), as required by the Commission in Case No. 2010-00353.² The information is described as containing the quantitative results of Atmos' PBR program, including its current gas supply contract,

¹ Although the Petition for Confidential Treatment was filed pursuant to 807 KAR 5:001, Section 7, this regulation was amended as of Jan. 4, 2013 and the confidential material section is now contained in Section 13.

² Case No. 2010-00353, *Request of Atmos Energy Corporation for Modification and Extension of Its Gas Cost Adjustment Performance-Based Ratemaking Mechanism* (Ky. PSC Dec. 7, 2010).

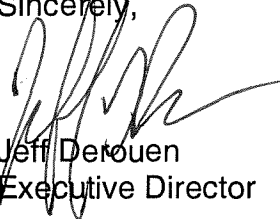
Mark R. Hutchinson
January 10, 2014
Page 2

which contains significant pricing discounts. Atmos states that this type of information has been determined to be entitled to confidential protection by the Commission in Atmos' prior PBR proceedings.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 13, the Commission has determined that the information requested to be held confidential is a trade secret and the disclosure of which would permit an unfair commercial advantage to Atmos' competitors. Therefore, the information requested to be treated as confidential meets the criteria for confidential protection and will be maintained as a non-public part of the Commission's Post Case Referenced Correspondence file for an indefinite period.

The procedure for usage of confidential materials during formal proceedings may be found at 807 KAR 5:001, Section 13(9). If the information becomes publicly available or no longer warrants confidential treatment, Atmos is required by 807 KAR 5:001, Section 13(10), to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen
Executive Director

VG/kar