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January 7, 2002

**FILED<sup>3</sup>**

**JAN 07 2002**

**Missouri Public  
Service Commission**

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Missouri 65102

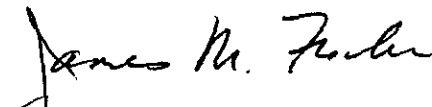
RE: *In the matter of the Application of Atmos Energy Corporation for an order authorizing it to merge with Mississippi Valley Gas Company, Case No. GM-2002-295.*

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of the Motion For Protective Order filed on behalf of Atmos Energy Corporation. This motion was inadvertently left out of our filing of December 20, 2001, when we filed the original Application which contains certain Highly Confidential information. I apologize for any inconvenience this error may have caused you or your staff.

Thank you for your attention to this matter.

Sincerely,

  
James M. Fischer

Enclosure

cc: Office of the Public Counsel  
Dan Joyce, General Counsel

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>  
JAN 07 2002

In the matter of the Application of Atmos )  
Energy Corporation for an order authorizing it to )  
merge with Mississippi Valley Gas )  
Company . )

Missouri Public  
Service Commission

Case No. GM-2002-295

MOTION FOR PROTECTIVE ORDER

COMES NOW Atmos Energy Corporation ("Atmos") by and through their counsel, and, pursuant to 4 CSR 240-2.085, hereby requests the Missouri Public Service Commission ("Commission") to issue a protective order in the above-captioned case. In support thereof, Atmos states as follows:

1. Atmos has filed an Application to merge with Mississippi Valley Gas Company. Pursuant to 4 CSR 240-2.060(8)(1)(A), the Application includes an Agreement and Plan of Merger ("Agreement") between Atmos and Mississippi Valley Gas Company. One of the exhibits to the Agreement is a Disclosure Schedule which contains certain Proprietary and Highly Confidential information. The disclosure of this commercially sensitive information would harm the business interests of Mississippi Valley Gas Company and/or Atmos Energy Corporation if the information became public and available to their competitors. None of the information for which a claim of confidentiality is made can be found in any format in any other public document.

2. Atmos requests the Commission to issue its standard protective order, in the same form as has been customary in previous cases. In accordance with 4 CSR 240-2.085, Atmos hereby requests the Commission issue a protective order in this proceeding.

3. Atmos notes that the Commission has issued this standard protective order in numerous other dockets where it has recognized a genuine need to protect confidential information from disclosure. The issuance of protective orders in prior proceedings has helped to minimize disputes, and has provided a sound method for parties to submit confidential information.

WHEREFORE, for the reasons set forth herein, Atmos Energy Corporation respectfully requests the Commission to issue a protective order in this proceeding, in the same form as has been customary in previous cases.

Respectfully submitted,

  
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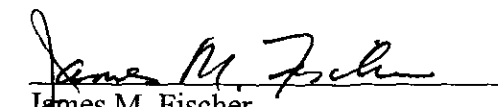
Attorneys for Atmos Energy Corporation

## CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion for Protective Order has been hand-delivered or mailed, First Class mail, postage prepaid, this 2<sup>nd</sup> day of January, 2002, to:

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City MO 65102

Dana K. Joyce, General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City MO 65102

  
James M. Fischer