

**BEFORE THE PUBLIC SERVICE  
COMMISSION OF THE STATE OF MISSOURI**

In the Matter of Spire Missouri Inc., d/b/a )  
Spire (East) Purchased Gas Adjustment ) Case No. GR-2021-0127  
(PGA) Tariff Filing )

In the Matter of Spire Missouri Inc., d/b/a )  
Spire (West) Purchased Gas Adjustment ) Case No. GR-2021-0128  
(PGA) Tariff Filing )

**MOTION FOR PROTECTIVE ORDER**

COMES NOW Spire Missouri Inc. (“Spire” or “the Company”) and pursuant to Commission Rule 20 CSR 4240-2.135(2)(A), submits this *Motion for Protective Order* to the Missouri Public Service Commission (“Commission”). In support thereof the Company respectfully states as follows:

1. On October 30, 2020, Spire East and Spire West filed tariff sheets to reflect changes in each respective territory’s Purchased Gas Adjustment (“PGA”) clause and Actual Cost Adjustment (“ACA”), thereby initiating Case Nos GR-2021-0127 and GR-2021-0128.

2. On December 2, 3, and 8, 2020, Applications to Intervene were filed by the Environmental Defense Fund, Midwest Energy Consumers Group, and Consumers Council of Missouri, respectively. All Applications were granted by the Commission on December 30, 2020.

3. Certain materials produced in the course of discovery or otherwise in this matter will be designated as Confidential in accordance with Commission Rule 20 CSR 4240-2.135(2)(A). There is also a need for certain materials produced in the course of discovery or otherwise in this matter to be designated as Highly Confidential in accordance with Commission Rule 20 CSR 4240-2.135(4).

4. Missouri Supreme Court Rule 56.01(c) provides that protective orders may be issued “to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense including . . . that a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way.” *See also* In the Matter of the Application of Grain Belt Express Clean Line LLC, Commission File No. EA-2014-0207, 2014 Mo.PSC Lexis 858, Opinion issued September 24, 2014.

5. Due to the fact that certain intervenors are involved in active litigation with the Company on related matters pertaining to STL Pipeline, combined with the nature of certain material regarding critical infrastructure, commodity prices, competitive strategies, and planned purchases, the “confidential” designation under Commission Rule 2.135 may not provide adequate protection. Due to security reasons and to prevent harm to Spire and prevent the creation of a competitive or litigation advantage over Spire and non-party competitors, Spire requests a protective order as follows:

a. Certain materials and information divulged by Spire shall be considered to be “Highly Confidential” if so designated at the time of disclosure. Any such designation shall be made in good faith.

b. With regard to entities and individuals other than the Staff of the Commission and the Office of the Public Counsel:

i. Disclosure of materials or information so designated shall be made only to attorneys and/or to such outside experts/consultants who have executed a Commission Nondisclosure Agreement. No Highly Confidential information shall be provided directly or indirectly to any non-attorney other than to a designated outside expert/consultant who have executed a Commission Nondisclosure Agreement and filed it herein.

ii. Materials designated as highly confidential shall be strictly prohibited from being shared with anyone at the Environmental Defense Fund

who is also working on active D.C. Circuit and FERC filings pertaining to STL Pipeline.

iii. Persons afforded access to materials or information designated “Highly Confidential” shall neither use nor disclose such materials or information for purposes of business or competition or any other purpose other than in regard to the case referenced above and shall keep the materials and information secure and confidential and in accordance with the purposes and intent of the protective order.

iv. All material and information designated as “Highly Confidential” in the possession of any entity or person, as well as any notes pertaining to such information, shall be returned to Spire or destroyed upon the conclusion of the referenced case.

c. If a party disagrees with the “Highly Confidential” designation of any information, the party shall follow the informal discovery dispute resolution procedures set forth in Commission Rule 20 CSR 4240-2.090(8). If the party exhausts these dispute resolution procedures, the party may file a motion challenging the designation.

WHEREFORE, Spire requests an order of the Commission, pursuant to Commission Rule 20 CSR 4240-2.135(4), granting a protective order as set forth above. Spire requests such other and further relief as is just and proper under the circumstances.

Respectfully Submitted,

Goldie T. Bockstruck \_\_\_\_\_

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**ATTORNEYS FOR SPIRE MISSOURI INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing pleading was served on all parties to this case on 17th day of August 2021 by electronic mail.

Goldie T. Bockstruck