

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

In the Matter of the Application of Co-Mo)
Electric Cooperative for Approval of) File No. EO-2022-0190
Designated Service Boundaries Within)
Portions of Cooper County, Missouri.)

**AMEREN MISSOURI'S MOTION FOR CLARIFICATION OR,
ALTERNATIVE, OR ORDER CORRECTING
EXHIBIT NUNC PRO TUNC
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW Union Electric Company d/b/a Ameren Missouri (“Ameren Missouri” or “Company”), and moves that the Commission clarify meaning of “appropriate non-disclosure form” or, alternatively, correct Exhibit A to its March 30, 2022 *Order Regarding Ameren Missouri’s Motion to Allow Selected Access to Highly Confidential Information and Motion for Expedited Treatment* (the “Order”) so that it conforms to the substance of the order and can be completed and filed with the Commission by the four individuals authorized by the Order to view highly confidential information in this case. In support of its request, Ameren Missouri states as follows:

1. The Order authorizes the four named individuals to view highly confidential information designated as such by the applicant in this case. To do so, those individuals must first complete and file an “appropriate non-disclosure form.”
2. When the Order was first issued, it did not contain a non-disclosure form. Nor does the Order reference any such form. However, shortly after the Order was issued a second version of the Order was served on the parties and placed into EFIS. That second version has attached to it a form labelled “Exhibit A.”
3. Exhibit A by its terms contradicts the terms of the Order because it contains a certification (item (a)) that “[o]nly an outside expert retained by a party in this case may receive highly confidential information.” The four employees who are authorized to view the highly

confidential information cannot make such a certification, nor does the Order require that they do so.

4. Attached to this Motion as Exhibit A is a modified form of Non-Disclosure Agreement that comports with the Order's terms. The Company requests that the Commission either confirm that such form is an "appropriate non-disclosure form" or correct the Order *nunc pro tunc* by removing Exhibit A.

5. The Company requests action by the Commission on this Motion by April 1, 2022 so that the four named individuals can promptly be given access to the information in question on the effective date of the Order, April 4, 2022. There will be no harm to any party or the public by expediting its ruling given that such a ruling would be consistent with the Order issued yesterday. This timing is critical given the upcoming rebuttal testimony deadline and the delays that have already occurred in accessing the subject information in this case.

WHEREFORE, Ameren Missouri requests that the Commission clarify or correct the Order as requested above.

Respectfully submitted,

/s/ **James B. Lowery**

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**ATTORNEY FOR UNION ELECTRIC
COMPANY d/b/a AMEREN MISSOURI**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this 31st day of March 2022, served the foregoing either by electronic means, or by U. S. Mail, postage prepaid addressed to all parties of record.

/s/James B. Lowery
James B. Lowery

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

NONDISCLOSURE AGREEMENT

For Case No.: EO-2022-0190

(To Access Highly Confidential Information)

I, _____, have reviewed the Commission's Rule at 20 CSR 4240-2.135, and the Commission's March 30, 2022 *Order Regarding Ameren Missouri's Motion to Allow Selected Access to Highly Confidential Information and Motion for Expedited Treatment* (the "Order").

I have been authorized by the Order to view the highly confidential information produced in File No. EO-2022-0190.

I hereby certify that:

(a) I am an employee of Union Electric Company d/b/a Ameren Missouri acting as an expert for that company to provide expert consultation or testimony in this docket;
and

(b) I have read and agree to abide by the Commission's Rule at 20 CSR 4240-2.135 and the above-referenced Order issued by the Commission in this docket.

Dated this _____ day of _____, 2022.

Signature & Title

Printed: _____

Address: _____

Telephone: _____

E-mail: _____