

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

In the Matter of Veolia Energy)	
Kansas City, Inc. for Authority)	Case No. HR-2011-0241
to File Tariffs to Increase Rates)	

**REQUEST FOR EVIDENTIARY HEARING ON
MOTION FOR PROTECTIVE ORDER
AND MOTION TO COMPEL RESPONSES TO DATA REQUEST**

Comes now Veolia Energy Kansas City, Inc. (“Veolia”) and respectfully requests that the Commission convene a hearing for the purpose of receiving evidence concerning the Motion for Protective Order filed by Veolia and the Motion to Compel filed by Kansas City Power & Light Company (“KCP&L”). In support of this request, Veolia states as follows:

1. On June 22, 2011 KCP&L filed with the Commission a Motion to Compel Responses to Data Request, and requested that the Commission order Veolia to provide a response, including all highly confidential information, to its data request. KCP&L is requesting that the Commission order Veolia to provide copies of all of its responses to Missouri Public Service Commission Staff’s (“Staff”) data requests to KCP&L. To date, Veolia has responded to over one-hundred of Staff’s data requests, many of which are classified as highly confidential.
2. On July 1, 2011, Veolia filed with the Commission a response to KCP&L’s Motion to Compel, which included a Motion for a Protective Order Pursuant to 4 CSR 240-2.135(2)(C) and (5).
3. On July 11, 2011, KCP&L filed with the Commission a Response to Veolia’s motion.
4. The motions and responses filed by Veolia and KCP&L include disputed factual allegations. Specifically, KCP&L has disputed Veolia’s assertion that the information sought by

KCP&L includes “trade secrets,” and that this information should be protected from disclosure to avoid grave competitive harm to Veolia. Veolia disputes that KCP&L has established that the information sought is relevant, or that KCP&L has a specific need for the documents requested, as required by Missouri Rule of Civil Procedure 56.01. In addition, KCP&L disputes Veolia’s assertion that Mr. Steiner and Mr. Giles have competitive decision-making responsibilities, and that consequently, it is not appropriate to disclose the highly confidential information at issue to them.

5. If granted, KCP&L’s Motion to Compel would require Veolia to not only have to review and analyze all of the data that Veolia has provided to Staff to date, but also to prepare the non-jurisdictional data for transmittal to KCP&L. This process is time consuming, expensive, and creates an undue burden upon Veolia. Veolia disputes that KCP&L has demonstrated the need to receive Veolia’s responses to all of Staff’s data requests, and especially those responses that are unrelated to KCP&L’s business or interests. Veolia is prepared to present facts discussing the costs that Veolia would have to incur if required to comply with KCP&L’s Motion to Compel.

6. To resolve these disputed factual issues, Veolia requests an opportunity to present evidence to the Commission in support of its Motion for Protective Order.

WHEREFORE based on the foregoing, Veolia requests that the Commission conduct a hearing for the purpose of receiving evidence concerning the facts at issue in connection with the Motion for Protective Order filed by Veolia and the Motion to Compel filed by KCP&L.

Respectfully submitted,

By: /s/ Diana Vuylsteke

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been transmitted by e-mail this 13th day of July, 2011, to all persons on the Commission's service list.

/s/ Diana Vuylsteke