



# GREAT PLAINS<sup>SM</sup> ENERGY

Law Department

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April 4, 2003

Mr. Dale Hardy Roberts  
Secretary Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Re: KCPL Comments on Changes to Protective Order

Dear Mr. Roberts:

KCPL appreciates the opportunity to provide comments prior to the initiation of a rule making process.

KCPL believes that the existing process for obtaining a protective order and the protection it affords confidential and proprietary information is practical and appropriate. We are uncertain of the reasons prompting the consideration of a change in the process or the need to codify the existing procedure. Until we have a better understanding of the reasons prompting the review of the protective order and proposal to codify the procedure, KCPL's preference is to keep the existing procedure in place.

We also have concerns regarding the options for the protective order which have been provided on the Commission's website. Given the options provided by the Commission, KCPL's preference would be the second alternative – the current two tiered system slightly modified. Following are KCPL's comments on the alternatives.

1. A One Tier System

- ❖ It may be a benefit to combine confidential and proprietary information. This may simplify discovery and remove the necessity of classifying information/documents as either confidential or proprietary.
- ❖ Access to confidential and proprietary information by employees of a party should be limited. Access should continue to be restricted to attorneys or outside experts. Having such information available to employees will in many cases make the information you are trying to protect available to the individuals you do not want to have the information.
- ❖ The ability to require onsite inspection of some information/documents should be retained.

2. The Current Two-Tiered System Slightly Modified

- ❖ Given the options presented at this time, this approach is preferred by KCPL.
- ❖ The ability to limit access to highly confidential information to attorneys and outside experts should be retained.
- ❖ The ability to require onsite inspection of some information/documents should be retained.

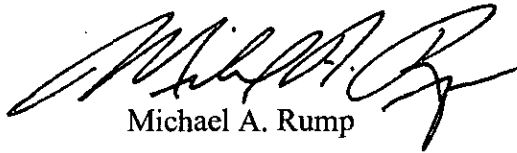
3. A More Restrictive Two-Tiered System

- ❖ This would allow confidential information to be designated only upon motion of a party and acceptance by the Commission. Such an approach would require additional pleadings/motions to protect confidential information.
- ❖ The ability to limit access to highly confidential information to attorneys and outside experts needs to be retained.
- ❖ The ability to require onsite inspection of some information/documents should be retained.

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KCPL appreciates the opportunity to share its views on this matter and would be willing to participate in any discussions or meetings to further explore this topic. Please contact the undersigned if you have any questions regarding this matter.

Very truly yours,

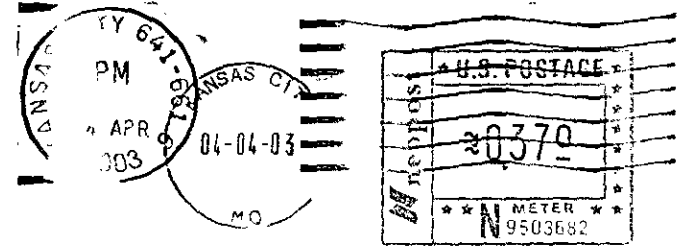
A handwritten signature in black ink, appearing to read "Michael A. Rump", written in a cursive style.

Michael A. Rump

c: Tim Rush  
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