

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

In the Matter of the Cause of the February )  
2021 Cold Weather Event and its Impact on ) **File No. AO-2021-0264**  
Investor Owned Utilities )

**PROTECTIVE ORDER**

Issue Date: April 14, 2021

Effective Date: April 14, 2021

The Commission opened this file for its Staff to report on the events related to the February 2021 cold weather event and the preparation and response by Missouri’s electrical and natural gas utilities. On March 30, 2021, The Empire District Electric Company, The Empire District Gas Company, and Liberty Utilities (Midstates Natural Gas) Corp. (collectively, “Liberty”), filed a Motion for Protective Order.

Liberty explains that due to the nature of certain material regarding critical infrastructure, commodity prices, competitive strategies, and planned purchases, the “confidential” designation under Commission Rule 20 4240-2.135 may not provide adequate protection. No party has objected. The Commission finds the request reasonable, and will grant it.

**THE COMMISSION ORDERS THAT:**

1. Liberty’s motion for protective order is granted as follows:
  - a. Certain materials and information divulged by Liberty 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 has executed a Commission Nondisclosure Agreement and filed it herein.

ii. 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.

iii. 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 Liberty 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.

2. This order shall become effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

Ronald D. Pridgin, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 14<sup>th</sup> day of April, 2021.