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March 12, 2002

Executive Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

MAR 12 2002

RE: The Empire District Electric Company
Case No. ER-2002-424 (permanent)
Case No. ER-2002-425 (interim)

**Missouri Public
Service Commission**

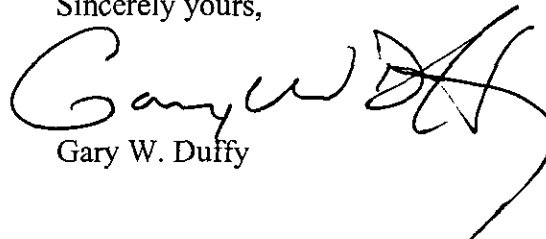
Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of the following:

- a) Motion for Issuance of Protective Order and For Modification of the Form to Deal with Security Aspects in Case No. ER-2002-424 (permanent).
- b) Motion for Issuance of Protective Order and For Modification of the Form to Deal with Security Aspects in Case No. ER-2002-425 (interim).

If you have any questions, please give me a call.

Sincerely yours,


Gary W. Duffy

Enclosures
cc w/encl:

Office of Public Counsel
Stuart W. Conrad
Office of the General Counsel
Dave Gibson-Empire

FILED³

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

MAR 12 2002

Missouri Public
Service Commission

In the Matter of The Empire District Electric)
Company of Joplin, Missouri for authority to)
file tariffs increasing rates for electric service)
provided to customers in the Missouri)
service area of the company.)

Case No. ER-2002-424

**MOTION FOR ISSUANCE OF PROTECTIVE ORDER
AND FOR MODIFICATION OF THE FORM
TO DEAL WITH SECURITY ASPECTS**

Comes now The Empire District Electric Company ("Empire"), by and through its counsel, pursuant to 4 CSR 240-2.085 and for its motion respectfully states as follows:

1. Empire filed this general rate case on March 8, 2002. Empire anticipates that the Staff, the Office of the Public Counsel, and perhaps intervenors will shortly commence discovery in this proceeding through the issuance of data requests to Empire. Those data requests, based on past experience, are likely to require the production by Empire of information such as customer-specific information, accounting and financial information that is not available to the general public, and other material which would meet the definition of HIGHLY CONFIDENTIAL material in the Commission's standard protective order.

2. The Commission has long recognized in general rate cases that it is appropriate to issue protective orders to preserve the confidentiality of certain types of information in such proceedings. The public dissemination of such information could lead to adverse consequences for Empire, its customers, and members of the public.

3. Empire therefore requests that the Commission issue in this case what

has become known generally as its "standard form" protective order which contains both Highly Confidential and Proprietary categories so that Empire may respond to these data requests in a confidential manner if a particular response so qualifies, but that the order be modified slightly as expressed below.

MOTION TO MODIFY FORM OF ORDER

4. Empire further requests that the Commission make a slight modification to the "standard form" protective order in this proceeding. Although Empire has always considered security aspects to be non-public information, since September 11, 2001, matters of security at public utilities in this nation have received substantially increased attention. Empire has taken steps to heighten security at its facilities, and may be also required to respond to new federal or state provisions which are anticipated to require additional or different security matters. Obviously, it is not in the national interest for material such as security measures at public utilities to be or to become public information since that could lead to disastrous consequences. The "standard form" protective order the Commission has routinely used for the last several years does not appear to contain a provision which squarely covers such a topic as security. In order to shield such sensitive information from public access, Empire moves that the Commission modify the "standard form" of protective order it issues in this proceeding by the addition of the following language to paragraph A in the paragraph describing the definition of "HIGHLY CONFIDENTIAL":

(6) materials, documents, strategies and other information related to the company's methods, or planned modifications thereof, of ensuring the physical security of its public utility facilities.

5. The suggested language is designed to apply broadly both to existing methods of security and to proposed and actual changes.

WHEREFORE, Empire moves that the Commission issue its standard form protective order in this case with the modification addressed above.

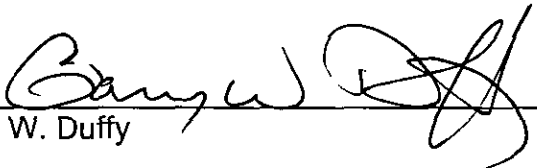
Respectfully submitted,



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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served this 12th day of March, 2002, by either hand delivery or placement of same with the United States Postal Service in Jefferson City, Missouri, first class postage prepaid, to the counsel listed below.



Gary W. Duffy

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