

LAW OFFICES  
**BRYDON, SWEARENGEN & ENGLAND**  
PROFESSIONAL CORPORATION

DAVID V.G. BRYDON  
JAMES C. SWEARENGEN  
WILLIAM R. ENGLAND, III  
JOHNNY K. RICHARDSON  
GARY W. DUFFY  
PAUL A. BOUDREAU  
SONDRA B. MORGAN  
CHARLES E. SMARR

312 EAST CAPITOL AVENUE  
P.O. BOX 456  
JEFFERSON CITY, MISSOURI 65102-0456  
TELEPHONE (573) 635-7166  
FACSIMILE (573) 635-3847  
E-MAIL: DCOOPER@BRYDONLAW.COM

DEAN L. COOPER  
MARK G. ANDERSON  
TIMOTHY T. STEWART  
GREGORY C. MITCHELL  
BRIAN T. MCCARTNEY  
BRIAN K. BOGARD

OF COUNSEL  
RICHARD T. CIOTTONI

January 29, 2002

Mr. Dale Hardy Roberts  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>2</sup>**  
JAN 29 2002  
Missouri Public  
Service Commission

**RE: UtiliCorp United Inc. d/b/a Missouri Public Service - Case No. GA-2002-285**

GR-99-435

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of a Motion for Protective Order and Motion for Extension to File Direct Testimony. Please stamp the enclosed extra copy "filed" and return same to me.

If you have any questions concerning this matter, then please do not hesitate to contact me.  
Thank you for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

*Dean Cooper*  
Dean L. Cooper *kykg*

DLC/rhg  
Enclosures

cc: Mr. Robert Franson, PSC  
Mr. Doug Micheel, OPC  
RLJ Woodruff

**FILED**  
JAN 29 2002  
Missouri Public  
Service Commission  
9-435

Case No. GR-99-435

**MOTION FOR PROTECTIVE ORDER**  
**AND MOTION FOR EXTENSION TO FILE DIRECT TESTIMONY**

COMES NOW UtiliCorp United Inc. (“UtiliCorp” or “Company”) d/b/a Missouri Public Service (“MPS”), in accordance with 4 CSR 240-2.085, and, for its motion for issuance of the Missouri Public Service Commission’s (“Commission”) standard-form protective order and its motion for extension to file direct testimony, states as follows:

1. Pursuant to the procedural schedule issued by the Commission, direct testimony is due to be filed today, January 29, 2002. In making final preparations for the filing of UtiliCorp's direct testimony, UtiliCorp has determined that a protective order has not previously been issued by the Commission in this case.

2. The Company seeks to provide in testimony, and may be asked through data requests, to provide competitive pricing information and technical, financial and business information of a confidential or proprietary nature. Additionally, it is anticipated that other information which may be requested or utilized in testimony by the Staff, as well as the Office of the Public Counsel (“OPC”), may contain customer-specific information, competitive pricing information, trade secrets and confidential, technical, financial and business information, or other material of a confidential or proprietary nature. Public disclosure of the referenced material which the Staff, OPC, or others may seek in discovery may tend to harm the interests of the Company, its employees and its customers. None of the information for which a claim or confidentiality will be made can be found

in any format in a public document.

3. Therefore, because there is a potential for public disclosure of confidential or proprietary information without a protective order in place, the Company moves the Commission to issue in this case its standard-form protective order containing classifications of “highly confidential” and “proprietary.”

4. Additionally, because direct testimony is otherwise due today, UtiliCorp requests that the date for filing direct testimony be extended until such time as the Commission has ruled upon the motion for protective order.

5. Counsel for UtiliCorp has discussed this matter with counsel for the Staff and OPC and neither party objects to a grant of these motions.

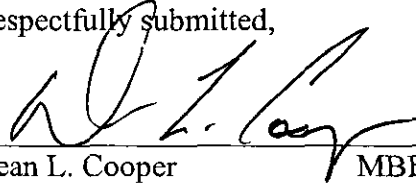
WHEREFORE, the Company, pursuant to 4 CSR 240-2.085, respectfully requests that the Commission:

(a) grant an extension for the filing of direct testimony until such time as the Commission has ruled upon the motion for protective order;

(b) issue the Commission’s standard-form protective order containing classifications of “highly confidential” and “proprietary” to guide the parties’ conduct in this case; and,

- (c) grant such further relief as the Commission deems appropriate.

Respectfully submitted,



Dean L. Cooper MBE #36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
(573) 635-3847 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

ATTORNEYS FOR UTILICORP UNITED INC.  
D/B/A MISSOURI PUBLIC SERVICE

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was either hand-delivered or mailed, U.S. Mail, postage prepaid, on the 29<sup>th</sup> day of January, 2002, to: Robert V. Franson, Public Service Commission, Governor Office Building, Jefferson City, Mo 65101; and, Douglas Micheel, Office of the Public Counsel, 6th Floor, Governor Office Building, Jefferson City, Mo 65101.

