

At a session of the Public Service Commission held at its office in Jefferson City on the 2nd day of April, 1991.

On March 20, 1991, the Staff of the Missouri Public Service Commission (Staff) filed its response to the application. For its response, Staff states that all information in the possession of Staff requested by Applicant consists of information obtained from KPL and is not on file as a public record in the records room in the office of the Secretary of the Public Service Commission. Staff, therefore, is prohibited from releasing such information absent an order from this Commission under Section 386.480, RSMo (1986).

Staff further states it is their understanding that Applicant is an individual who was injured in said fire and/or explosion on May 8, 1986. Staff states the Commission has used a three factor balancing test in deciding whether or not to release information under these kinds of circumstances. This test considers the intimacy of the material, the broadness of the issuance of the information and the wideness of the audience to which the information is released. Staff of the Missouri Public Service Commission vs. Laclede Gas Service, Case No. GC-85-124, 28 Mo.PSC (N.S.) 129 (1986).

Staff contends that the intimacy of the material as outlined in the three-factor test set forth above is not a concern in this case for the following reasons: (1) that the request is coming from a party injured in the accident; (2) the request is specific to correspondence between KPL and Staff regarding one incident; and (3) KPL has signed an authorization acquiescing release of said documents. Staff, therefore, has no objections to the release of said information.

The Commission has reviewed the application and applied the three factor balancing test as set forth in Staff of the Missouri Public Service Commission vs. Laclede Gas Service, supra, and finds that the application for release of documents should be granted, as Applicant is an injured party in this incident, is requesting documents concerning a single incident and KPL has signed an authorization for release of said documents.

IT IS THEREFORE ORDERED:

1. That the application for release of documents is hereby granted.

2. That this order shall become effective on the date hereof.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

Steinmeier, Chm., Rauch and  
McClure, CC., Concur.  
Mueller, C., Absent.