

In the Matter of the 2019 RES Compliance)
Report and 2020 RES Compliance Plan of) Case No. _____
The Empire District Electric Company)

Liberty-Empire's RES Report and Plan is subject to contractual agreements providing for the material to not be disclosed except under certain limited circumstances, and Liberty-Empire is contractually obligated to treat this material as highly confidential, as the material could provide an unjust competitive advantage to certain entities and individuals who decide to participate in Liberty-Empire's RES docket. As such, Liberty-Empire requests a protective order as follows:

- a. Certain materials and information divulged by Liberty-Empire shall be considered to be "Highly Confidential" if so designated at the time of disclosure.
- b. With regard to entities and individuals other than the Staff of the Commission, the Office of the Public Counsel, and the Missouri Division of Energy, disclosure of materials or information so designated shall be made only to attorneys and/or to such outside consultants who have executed a Commission Nondisclosure Agreement. No Highly Confidential information shall be provided directly or indirectly to any non-attorney individual or employee.
- c. 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.
- d. 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-Empire or destroyed upon the conclusion of the referenced case.
- e. 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.

5. The ability to designate information as Highly Confidential in this case, pursuant to a protective order, will ensure that the information is not improperly used or divulged in another proceeding.

WHEREFORE, Liberty-Empire requests an order of the Commission, pursuant to Commission Rule 20 CSR 4240-2.135(4), granting a protective order as set forth above. Liberty-Empire requests such other and further relief as is just and proper under the circumstances.

Respectfully submitted,

/s/ Diana C. Carter

Diana C. Carter MBE #50527

428 E. Capitol Ave., Suite 303

Jefferson City, Missouri 65101

Joplin Office Phone: (417) 626-5976

Cell Phone: (573) 289-1961

E-Mail: Diana.Carter@LibertyUtilities.com

CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 10th day of April, 2020, with a copy sent by electronic mail to the Staff of the Commission and the Office of the Public Counsel.

/s/ Diana C. Carter