BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

In the Matter of the Application of Missouri Gas)	
Utility, Inc. for a certificate of public convenience)	
and necessity authorizing it to construct, install,)	
own, operate, control manage and maintain a)	Case No. GO-2005-0120
natural gas distribution system to provide natural)	
gas service in parts of Harrison, Daviess and)	
Caldwell Counties, to acquire the Gallatin and)	
Hamilton, Missouri natural gas systems and to)	
encumber the acquired assets.)	

MOTION FOR PROTECTIVE ORDER

Comes now Missouri Gas Utility, Inc. ("MGU" or "Company"), 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, states as follows:

- 1. The Company has filed with the Commission an Application for a certificate, to acquire certain Gallatin and Hamilton, Missouri natural gas system assets and for approval to encumber the assets to be acquired. Gallatin and Hamilton formerly operated the systems under lease-purchase agreements. However, the cities have chosen to default on those agreements. As a result, MGU believes there is an urgency associated with this Application and would ask that the Commission issue its Protective Order at the earliest reasonable opportunity.
- 2. The Company is seeking to provide with its Application, may seek to provide in testimony, and anticipates being 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 other parties 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 may tend to harm the interests of the Company, its employees and its potential 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."

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

- (a) issue the Commission's standard-form protective order containing classifications of "highly confidential" and "proprietary" to guide the parties' conduct in this case; and,
 - (b) grant such further relief as the Commission deems appropriate.

Respectfully submitted,

Dean L. Cooper

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ATTORNEYS FOR MISSOURI GAS UTILITY, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was hand-delivered, or sent by electronic mail, on October <u>21</u>, 2004, to the following:

Tim Schwarz Office of the General Counsel Governor Office Building, 8th Floor Jefferson City, Mo 65101 Douglas Micheel Office of the Public Counsel Governor Office Building, 6th Floor Jefferson City, MO 65101