

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of NextEra)
Energy Transmission Southwest, LLC for a)
Certificate of Public Convenience and)
Necessity to Construct, Install, Own,) File No. EA-2022-0234
Operate, Maintain, and Otherwise Control)
and Manage a 345 kV Transmission Line)
and associated facilities in Barton and)
Jasper Counties, Missouri)

PROTECTIVE ORDER

Issue Date: August 1, 2022

Effective Date: August 1, 2022

On July 7, 2022, NextEra Energy Transmission Southwest, LLC (NEET Southwest) filed an application (Application) that seeks a certificate of convenience and necessity (CCN) for a 345 kV transmission line and associated facilities in Barton and Jasper Counties, Missouri. On the same day, NEET Southwest also filed a motion asking the Commission to issue a protective order regarding competitively sensitive information.

More than ten days have passed since NEET Southwest filed its motion for protective order, and no one has opposed that motion.¹ The Commission finds NEET Southwest's unopposed motion to be reasonable and will grant it.

THE COMMISSION ORDERS THAT:

1. NEET Southwest's request for a protective order is granted. The specific protections to be afforded are as follows:

¹ Commission Rule 20 CSR 4240-2.080(13) allows parties ten days from the filing of a pleading to respond unless otherwise ordered by the Commission.

a. Confidential information may be designated in one of two categories:

(1) a “Confidential” category of information encompassing the usual scope of protected information in Commission proceedings, including information covered under Commission Rule 20 CSR 4240-2.135(2); and

(2) a “Highly Confidential” category of information limited to information that is competitively sensitive for the purpose of future bidding on Southwest Power Pool (SPP) and other Regional Transmission Organization (RTO) bidding events.

b. Information designated as Confidential would be subject to the standard protocols included in Commission Rule 20 CSR 4240-2.135.

c. For information designated as Highly Confidential, non-competitive parties (Office of Public Counsel, Commission Staff, and customer groups) will receive unredacted Highly Confidential documents without any additional action beyond the standards in place for competitive information.

d. For competitive parties (those who participate in, or those reasonably expected to participate in bidding in an SPP or other RTO Request For Proposals in the next five years, and any of their affiliates), the Highly Confidential information will be treated as “outside-counsel-and-outside-expert-eyes-only” and will be withheld from in-house attorneys and employees. Outside counsel and outside experts may receive and review Highly Confidential information after executing a certification meeting the requirements of Commission Rule 20 CSR 4240-2.135(7) or a similar Commission nondisclosure agreement. No Highly Confidential information shall be provided directly or indirectly to any employee of a competitive party.

e. 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 this Protective Order.

f. All material and information designated as Highly Confidential, as well as any notes pertaining to such information, shall be returned to NEET Southwest or destroyed upon the conclusion of the referenced case, with certification of same to NEET Southwest.

g. If any party disagrees with the Highly Confidential designation of any information, that party shall follow the informal discovery dispute resolution procedures set forth in Commission Rule 20 CSR 4240-2.090(8). If these dispute resolution procedures are exhausted without resolution, the party may file a motion challenging the designation.

2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Charles Hatcher, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 1st day of August, 2022.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 1st day of August, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 1, 2022

File/Case No. EA-2022-0234

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.