

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of an Application of Union Electric )  
Company, d/b/a AmerenUE, for an Order )  
Authorizing the Sale and Transfer of Certain )  
Assets of AmerenUE to St. James Municipal )  
Utilities and Rolla Municipal Utilities )

**File No. EO-2010-0263**

## ORDER DIRECTING FILING

Issue Date: August 4, 2010

Effective Date: August 4, 2010

On March 24<sup>1</sup>, Union Electric Company, d/b/a AmerenUE (hereafter “AmerenUE”), submitted an Application to the Commission. AmerenUE wants to transfer certain of its assets to St. James Municipal Utilities (hereafter “St. James”) and Rolla Municipal Utilities (hereafter “Rolla”), two wholesale customers of AmerenUE.

On August 2, Rolla filed a Motion for Protective Order and Request for Expedited Treatment. Rolla asserted that it has given Staff Highly Confidential information,<sup>2</sup> and that Staff plans, in turn, to give that same Highly Confidential information to Donna Hawley, a pro se litigant, by August 6, 2010, unless the Commission intervenes. Such a release of information, Rolla contends, could compromise the security of its electrical distribution system.

Because Rolla requested a ruling from the Commission before August 6, it also filed a Request for Expedited Treatment. The Commission granted Rolla’s Request for

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<sup>1</sup> All calendar references are to 2010 unless otherwise noted.

<sup>2</sup> Rolla refers to the Highly Confidential information as a 2007 Power Delivery Master Plan, an electrical engineering analysis and recommendations prepared for Rolla by R.W. Beck & Associates. Rolla states that it has given Ms. Hawley a redacted copy of the study.

Expedited Treatment on August 4, and also issued an Order Temporarily Prohibiting Release of Information on the same day.

The Commission will now order the parties to state what legal authority, if any, supports their position that a pro se litigant is, or is not, entitled to Highly Confidential information per Commission Rule 4 CSR 240-2.135, and what protective order, if any, Rolla may be entitled to per Commission Rule 4 CSR 240-2.085 or 2.135. Also, Rolla mentioned in its August 2 motion that the Commission could order its Staff to provide special counsel to assist Ms. Hawley in following the Commission's rules for Highly Confidential information. Thus, the Commission will order the parties to state what objection, if any, they would have to such a special counsel. Further, the Staff of the Commission will state what counsel would be available to assist Ms. Hawley with following the Commission's Highly Confidential procedures, should the Commission order its Staff to provide such counsel.

**THE COMMISSION ORDERS THAT:**

1. The parties shall respond as ordered above no later than August 9, 2010.
2. This order shall become effective immediately on issuance.

( S E A L )

**BY THE COMMISSION**



Steven C. Reed  
Secretary

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4<sup>th</sup> day of August, 2010.