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***ALSO ADMITTED IN
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November 8, 2002

Mr. Dale H. Roberts
Secretary/Chief Reg. Law Judge
Missouri Public Service Commission
200 Madison Street
Suite 100
Jefferson City, MO 65101

Re: **Aquila, Inc.**
EO-2002-384

FILED⁴

NOV 13 2002

**Missouri Public
Service Commission**

Dear Mr. Roberts:

Enclosed is the original Nondisclosure Agreement signed by Maurice Brubaker, consultant in this matter for Intervenors SIEUA and the United States Air Force. Copies have been sent to the other parties for their information and use.

If there are questions, just call.

Sincerely yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By: 

Stuart W. Conrad

SWC:s
Enclosure
cc: All Parties (w/encl)

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

NONDISCLOSURE AGREEMENT

APPENDIX "A"

FILED⁴

NOV 13 2002

Missouri Public
Service Commission

I, MAURICE BRUBAKER, have
been presented a copy of this Protective Order issued in Case No. EO 2002-384 on the
28th day of OCTOBER, 2002.

I have requested review of the confidential information produced in Case
No. EO 2002-384 on behalf of SEPARIA INDUSTRIAL ENERGY USERS
ASSOCIATION and the USAF - WHITEMAN AIR FORCE BASE

I hereby certify that I have read the above-mentioned Protective Order and agree
to abide by its terms and conditions.

Dated this 6th day of November, 2002.

M S Brubaker, President
Signature and Title

BRUBAKER & ASSOCIATES, INC.
Employer

SIGRA and USAF
Party

1215 FERN RIDGE PARKWAY, SUITE 208
ST LOUIS MO 63141
Address

314 275-7007
Telephone

- U. The Commission may modify this order on motion of a party or on its own motion upon reasonable notice to the parties and opportunity for hearing.
- V. Within 90 days after the completion of this proceeding, including judicial review thereof, all designated information, testimony, exhibits, transcripts or briefs in the possession of any party other than Staff or the Public Counsel shall be returned to the party claiming a confidential interest in such information and any notes pertaining to such information shall be destroyed.
- W. The provisions of paragraph C, D, J and L of this Protective Order do not apply to Staff or Public Counsel. Staff and Public Counsel are subject to the nondisclosure provisions of Section 386.480, RSMo 2000. Staff and Public Counsel shall provide a list of the names of their employees who will have access to the designated information.
- X. Outside experts of Staff or Public Counsel who have been contracted to be witnesses in this proceeding shall have access to designated information and testimony on the same basis as Staff and Public Counsel except the outside expert shall read this order and sign the nondisclosure agreement attached as Appendix "A" hereto.
- Y. Outside experts of Staff and Public Counsel who have not been contracted to be witnesses in this proceeding are subject to the provisions of this Protective Order.
- Z. Prefiled testimony and exhibits, whether filed or offered at the hearing, shall be prepared in the manner described in Appendix "B".