

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the 2023 Annual Update)
Filing Pursuant to 20 CSR 4240-22 by The)
Empire District Electric Company d/b/a Liberty) **File No. EO-2023-0294**

**STAFF RESPONSE TO THE OFFICE OF PUBLIC COUNSEL'S
OPPOSITION TO LIBERTY'S MOTION FOR PROTECTIVE ORDER**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through counsel, and for its *Staff Response* to the Office of Public Counsel’s opposition to Liberty’s motion for protective order states as following:

1. On March 21, 2023, The Empire District Electric Company d/b/a Liberty (“Liberty”) filed a Motion for Protective Order seeking to keep information either “Confidential” or “Highly Confidential” in accordance to Commission Rule 20 CSR 4240-2.135(2) and 2.135(4) respectively. Liberty states that, due to the nature of the information, allowing competitors access to this information could create a competitive advantage to those competitors and harm Liberty.

2. On March 24, 2023, the Office of Public Counsel (“OPC”) filed its *Response in Opposition to Liberty’s Motion for Protective Order* (“Response”). In its *Response*, OPC states that Liberty failed to explain why the Commission’s confidential designation provided in Commission Rule 20 CSR 4240-2.135(2) is inadequate and that the Commission should limit the scope of the protection of highly confidential to specific information.

3. Staff does not oppose OPC’s *Response* and agrees that Liberty should follow Commission Rule 20 CSR 4240-2.135 concerning confidential information. However, Staff is confident in Liberty’s judgment concerning highly confidential

information and that Liberty would provide the necessary information when requested by Staff while protecting Liberty's interests.

WHEREFORE, Staff respectfully submits the Response to OPC's *Response in Opposition to Liberty's Motion for Protective Order*.

Respectfully submitted,

/s/ Ron Irving

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been electronically mailed to all parties and/or counsel of record on this 5th day of April, 2023.

/s/ Ron Irving