

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Aquila, Inc., for)
Permission and Approval and a Certificate of Public)
Convenience and Necessity Authorizing It to Acquire,)
Construct, Install, Own, Operate, Maintain, and)
Otherwise Control and Manage Electrical Production)
and Related Facilities in Unincorporated Areas of)
Cass County, Missouri, Near the Town of Peculiar)

Case No. EA-2006-0309

ORDER ESTABLISHING PROTECTIVE ORDER

Issue Date: March 6, 2006

Effective Date: March 6, 2006

This order grants the request for the Commission's standard protective order.

On January 25, 2006, Aquila, Inc., asked the Commission for a certificate of convenience and necessity for its already-built South Harper Facility and Peculiar Substation. On February 15, Aquila filed a Motion for Protective Order.

Aquila states that discovery responses it may make in this case, as well as discovery responses that it has made in Commission Case Nos. EA-2005-0248, EO-2005-0156, and ER-2005-0436, may contain information of a confidential and proprietary nature. As such, Aquila requests that those discovery responses be subject to a protective order under Commission Rule 4 CSR 240-2.085. The Staff of the Commission, the Office of the Public Counsel, and the intervenors replied to Aquila's motion on March 3, and stated that they do not object to the Commission granting a protective order.

Upon review of the motion, the Commission finds that there is a need to protect confidential information and the request for a protective order is reasonable. The Commission has previously recognized the need to protect confidential information, and protective orders have helped minimize disputes in past cases. Therefore, the Commission concludes that a protective order should be granted.

IT IS ORDERED THAT:

1. The Motion for Protective Order filed by Aquila, Inc., is granted, and the protective order attached to this order as Attachment A is adopted.
2. This order shall become effective on March 6, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 6th day of March, 2006.