

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

In the Matter of the Application of Union Electric )  
 Company d/b/a Ameren Missouri for Permission and )  
 Approval and a Certificate of Convenience and ) **File No. EA-2019-0021**  
 Necessity Authorizing it to Construct a Wind )  
 Generation Facility )

# PROTECTIVE ORDER

Issue Date: December 17, 2018

Effective Date: December 17, 2018

On October 22, 2018, Union Electric Company d/b/a Ameren Missouri filed an application with the Missouri Public Service Commission seeking an order granting a Certificate of Convenience and Necessity (CCN) pursuant to section 393.170, RSMo 2016. The CCN would authorize Ameren Missouri to construct, own, and operate a wind generation facility to be constructed in Atchison County, Missouri.

On December 5, the Missouri Department of Conservation (Conservation) filed a motion for protective order seeking protection for certain highly detailed, site-specific information regarding sensitive species and natural community types in Missouri. Conservation normally treats that detailed information as confidential and provides it only if the person seeking the information signs a data-sharing agreement. Conservation seeks leave to designate that information as Confidential as permitted by the Commission's confidential information rule, 4 CSR 240-2.135(4), and to require the completion of a non-disclosure agreement before that information is shared.

More than ten days have passed since Conservation filed its motion for protective order, and no one has opposed that motion.<sup>1</sup> The Commission finds Conservation's motion to be reasonable, and it will be granted.

The specific extra protections to be afforded to the information designated by Conservation as confidential are described in this order.

**THE COMMISSION ORDERS THAT:**

1. Information designated by the Missouri Department of Conservation as confidential shall be disclosed only to attorneys of record for all parties, to state agency parties and their employees covered by statutory confidentiality requirements, and to persons who complete the nondisclosure agreement attached to this order as Exhibit A.
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

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 17<sup>th</sup> day of December, 2018.

---

<sup>1</sup> Commission Rule 4 CSR 240-2.080(13) allows parties ten days from the filing of a pleading to respond unless otherwise ordered by the Commission.

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT**

**For Case No.: EA-2019-0021**

**(To Access Confidential Information)**

I, \_\_\_\_\_, have reviewed the Commission's Rule at 4 CSR 240-2.135  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

I have requested review of the confidential information produced in Case No. \_\_\_\_\_  
on behalf of \_\_\_\_\_.

I hereby certify that:

(a) Only employees of a party that are acting as an expert for that party or that have been  
retained for this case as an outside expert for that party may receive confidential  
information;

(b) An employee is a person in the service of his or her employer whose services are  
controllable by the employer.

(c) I am employee of \_\_\_\_\_ [state name of intervenor]  
acting as its expert and/or its employee who intends to file testimony in this docket, or  
I am an outside expert for \_\_\_\_\_ [state name of  
intervenor] retained to provide expert consultation or testimony in this docket;  
and

(d) I have read and agree to abide by the Commission's Rule at 4 CSR 240-2.135.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature & Title

Exhibit A

**NONDISCLOSURE AGREEMENT**

**For Case No.: EA-2019-0021**

**(To Access Confidential Information)**

**Page 2**

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Party

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
E-Mail Address

Exhibit A

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT**

**For Case No.: EA-2019-0021**

**(To Access Highly Confidential Information)**

I, \_\_\_\_\_, have reviewed the Commission's Rule at 4 CSR 240-2.135  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

I have requested review of the highly confidential information produced in Case No. \_\_\_\_\_  
\_\_\_\_\_ on behalf of \_\_\_\_\_.

I hereby certify that:

- (a) Only an outside expert retained by a party in this case may receive highly confidential information;
- (b) I am an employee of \_\_\_\_\_ acting as an outside expert for [state name of intervenor] \_\_\_\_\_ retained to provide expert consultation or testimony in this docket;  
and
- (c) I have read and agree to abide by the Commission's Rule at 4 CSR 240-2.135 and all terms of the Protective Order issued by the Commission in this docket.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature & Title

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Party

Exhibit B

**NONDISCLOSURE AGREEMENT**

**For Case No.: EA-2019-0021**

**(To Access Highly Confidential Information)**

**Page 2**

\_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
E-Mail Address

Exhibit B

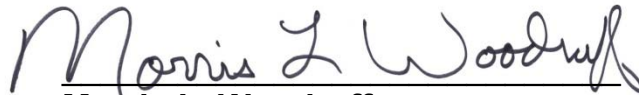
**STATE OF MISSOURI**

**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 17<sup>th</sup> day of December 2018.**



  
**Morris L. Woodruff**  
**Secretary**

# **MISSOURI PUBLIC SERVICE COMMISSION**

**December 17, 2018**

**File/Case No. EA-2019-0021**

**Missouri Public Service Commission**  
Staff Counsel Department  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Office of the Public Counsel**  
Marc Poston  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
opcservice@ded.mo.gov

**County of Atchison, Missouri**  
Ivan L Schraeder  
4579 Laclede Avenue, Suite 142  
St. Louis, MO 63108  
ils@schraederlaw.com

**County of DeKalb, Missouri**  
Ivan L Schraeder  
4579 Laclede Avenue, Suite 142  
St. Louis, MO 63108  
ils@schraederlaw.com

**Fairfax R-3 School District**  
Thomas A Mickes  
12444 Powerscourt Drive, Suite 400  
St. Louis, MO 63131  
tmickes@mickesotoole.com

**Fairfax R-3 School District**  
Brittany Newell  
12444 Powerscourt Drive, Suite 400  
St. Louis, MO 63131  
bnewell@mickesotoole.com

**Missouri Department of Conservation**  
Stephanie S Bell  
308 East High Street, Suite 300  
Jefferson City, MO 65101  
sbell@ellingerlaw.com

**Missouri Department of Conservation**  
Marc H Ellinger  
308 E. High Street, Ste. 300  
Jefferson City, MO 65101  
mellinger@ellingerlaw.com

**Missouri Department of Conservation**  
Jennifer S Frazier  
2901 W. Truman Blvd  
Jefferson City, MO 65102  
jennifer.frazier@mdc.mo.gov

**Missouri Division of Energy**  
Michael B Lanahan  
301 W. High Street  
Jefferson City, MO 65102  
mlanahan.DEenergycases@ded.mo.gov

**Missouri Industrial Energy Consumers (MIEC)**  
Lewis Mills  
221 Bolivar Street, Suite 101  
Jefferson City, MO 65101-1574  
lewis.mills@bclplaw.com

**Missouri Industrial Energy Consumers (MIEC)**  
Diana M Vuylsteke  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102  
dmvuylsteke@bclplaw.com

**Missouri Public Service Commission**  
Nicole Mers  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
nicole.mers@psc.mo.gov

**Natural Resources Defense Council**  
Henry B Robertson  
319 N. Fourth St., Suite 800  
St. Louis, MO 63102  
hrobertson@greatriverslaw.org

**Renew Missouri**  
Andrew J Linhares  
3115 S. Grand Ave  
Suite 600  
St. Louis, MO 63118  
Andrew@renewmo.org

**Renew Missouri**  
Tim Opitz  
409 Vandiver Dr Building 5, Suite 205  
Columbia, MO 65202  
tim@renewmo.org

**Rock Port School District**  
Amy Clendennen  
34 N. Meramec Ave., Suite 600  
Saint Louis, MO 63105  
aclendennen@tuethkeeney.com

**Sierra Club**  
Henry B Robertson  
319 N. Fourth St., Suite 800  
St. Louis, MO 63102  
hrobertson@greatriverslaw.org



**Tarkio R-I School District**  
Duane A Martin  
2401 Bernadette Drive, Ste. 117  
Columbia, MO 65203  
dmartin@edcounsel.law

**Tarkio R-I School District**  
Rachel Meystedt  
2401 Bernadette Dr., Ste 117  
Columbia, MO 65203  
rmeystedt@edcounsel.law

**Union Electric Company**  
Paula Johnson  
1901 Chouteau Ave  
St Louis, MO 63103  
AmerenMOService@ameren.com

**Union Electric Company**  
James B Lowery  
111 South Ninth St., Suite 200  
P.O. Box 918  
Columbia, MO 65205-0918  
lowery@smithlewis.com

**Union Electric Company**  
Wendy Tatro  
1901 Chouteau Avenue  
St. Louis, MO 63103-6149  
AmerenMOService@ameren.com

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

***Sincerely,***

A handwritten signature in cursive script that reads "Morris L. Woodruff".

**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.