

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Empire District Electric )  
Company's 2019 Triennial Compliance Filing )  
Pursuant to 4 CSR 240-22 )

**File No. EO-2019-0049**

## PROTECTIVE ORDER

Issue Date: July 9, 2019

Effective Date: July 9, 2019

On June 28, 2019, The Empire District Electric Company, a Liberty Utilities Company (Liberty-Empire) filed its 2019 Integrated Resource Plan (IRP), which is required by the Commission's Electric Utility Resource Planning rule, 4 CSR 240-22. Along with its IRP, Liberty-Empire filed a motion for protective order seeking additional protection for certain commercially sensitive information that has been filed, or will otherwise be disclosed, in this case. Liberty-Empire seeks leave to designate that information as Highly Confidential as permitted by the Commission's confidential information rule, 4 CSR 240-2.135(4).

More than ten days have passed since Liberty-Empire filed its motion and no party has responded. The Commission will issue the requested protective order. The specific extra protections to be afforded to the information designated by Liberty-Empire as highly confidential are described in this order.

### THE COMMISSION ORDERS THAT:

1. Certain materials and information divulged by Liberty-Empire shall be considered to be "Highly Confidential" if so designated at the time of disclosure.
2. With regard to entities and individuals other than the Staff of the Commission, the Office of the Public Counsel, and the Missouri Division of Energy:

a. Disclosure of materials or information so designated shall be made only to attorneys of record or to such outside consultants who have executed a Commission Nondisclosure Agreement. No Highly Confidential information shall be provided directly or indirectly to any non-attorney individual or employee.

b. Persons afforded access to materials or information designated Highly Confidential shall neither use nor disclose such materials or information for purposes of business or competition or any other purpose other than in regard to this case, and shall keep the materials and information secure and confidential and in accordance with the purposes and intent of this protective order.

c. All material and information designated as Highly Confidential in the possession of any entity or person, as well as any notes pertaining to such information, shall be returned to Liberty-Empire or destroyed upon the conclusion of this case.

3. If a party disagrees with the Highly Confidential designation of any information, the party shall follow the informal discovery dispute resolution procedures set forth in Commission Rule 4 CSR 240-2.090(8). If the party exhausts those dispute resolution procedures, the party may file a motion challenging the designation.

4. This order shall be effective when issued.

**BY THE COMMISSION**



A handwritten signature in cursive script 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 9<sup>th</sup> day of July, 2019.

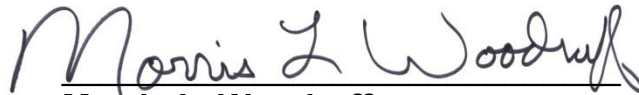
**STATE OF MISSOURI**

**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 9<sup>th</sup> day of July 2019.**



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

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 9, 2019**

**File/Case No. EO-2019-0049**

**Missouri Public Service  
Commission**

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

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.