

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Eleventh Prudence)
Review of Costs Subject to the)
Commission-Approved Fuel Adjustment) **File No. EO-2024-0241**
Clause of The Empire District Electric)
Company d/b/a Liberty)

PROTECTIVE ORDER

Issue Date: April 4, 2024

Effective Date: April 4, 2024

On March 4, 2024, the Staff of the Commission (Staff) filed *Staff's Notice of Start of Eleventh Fuel Adjustment Clause Prudence Review*.

On March 22, 2024, The Empire District Electric Company d/b/a Liberty filed a *Motion for Protective Order*, requesting a protective order under Commission Rule 20 CSR 4240-2.135(4) covering materials and information deemed "highly confidential" by Liberty.

More than ten days have passed since Liberty filed its motion for protective order, and no one has opposed that motion.¹ The Commission will grant Liberty's motion.

THE COMMISSION ORDERS THAT:

1. Liberty's request for a protective order is granted. The specific protections to be afforded are as follows.

a. Certain materials and information divulged by Liberty shall be considered to be "Highly Confidential" if so designated at the time of disclosure. Any such designation shall be made in good faith.

b. 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:

¹ 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.

i. Disclosure of materials or information so designated shall be made only to attorneys and/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.

ii. 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 the case referenced above and shall keep the materials and information secure and confidential and in accordance with the purposes and intent of the protective order.

iii. 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 or destroyed upon the conclusion of the referenced case.

c. 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 20 CSR 4240-2.090(8). If the party exhausts these dispute resolution procedures, the party may file a motion challenging the designation.

2. All persons authorized to access “Highly Confidential” information in this case shall complete the nondisclosure agreement attached to this order as Exhibit A.

3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 4th day of April, 2024.

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT
For File No.: EO-2024-0241
(To Access Highly Confidential Information)**

I, _____, have reviewed the Commission's Rule at 20 CSR 4240-2.135, and the Commission's April 4, 2024, *Protective order* (the "Order").

I have requested review of the Highly Confidential information produced in File No. EO-2024-0241 on behalf of _____, a party to the case.

I have been authorized by the Order to view the highly confidential information produced in File No. EO-2024-0241.

I hereby certify that I have read and agree to abide by the Commission's Rule at 20 CSR 4240-2.135 and the above-referenced Order issued by the Commission in this docket.

Dated this _____ day of _____, 2024.

Signature & Title

Printed: _____

Address: _____

Telephone: _____

E-mail: _____

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 4th day of April 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 4, 2024

File/Case No. EO-2024-0241

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

Sincerely,



**Nancy Dippell
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.