

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a)
Ameren Missouri's Tariffs to Adjust its) **File No. ER-2024-0319**
Revenues for Electric Service)

ORDER ESTABLISHING PROTECTIVE ORDER

Issue Date: July 10, 2024

Effective Date: July 10, 2024

Union Electric Company d/b/a Ameren Missouri submitted tariff sheets on June 28, 2024, initiating a general rate case. Along with those tariff sheets and direct testimony, Ameren Missouri 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 Ameren Missouri.

Ameren Missouri seeks protection for the negotiated terms and conditions of the governing commercial agreements for the Huck Finn, Boomtown, and Cass County facilities which are included in the Company's rate base in this case and cost and pricing information relating to such facilities. Ameren Missouri also asks for protection of cost information contained in the Company's direct case filing designated as highly confidential. Ameren Missouri asserts that the information that it seeks protection for is the same information for which a protective order was granted in File No. EA-2023-0286.

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

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.

THE COMMISSION ORDERS THAT:

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

- a. Certain materials and information divulged by Ameren Missouri 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 Commission, the Staff of the Commission, and the Office of the Public Counsel:
 - 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 Ameren Missouri 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 "confidential" information in this case shall complete the nondisclosure agreement attached to this order as Exhibit A.

3. All persons authorized to access "highly confidential" information in this case shall complete the nondisclosure agreement attached to this order as Exhibit B.

4. This order shall be effective when issued.



BY THE COMMISSION

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 10th day of July, 2024.

NONDISCLOSURE AGREEMENT

For Case No.: ER-2024-0319

(To Access Confidential Information)

I, _____, have reviewed the Commission's Rule at 20 CSR 4240-2.135 on the _____ day of ___, 20__.

I have requested review of the confidential information produced in File No. ER-2024-0319 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 20 CSR 4240-2.135.

Dated this _____ day of _____, 20__.

Signature & Title

Employer

Party

Address

Telephone

E-Mail Address

NONDISCLOSURE AGREEMENT
For Case No.: ER-2024-0319
(To Access Highly Confidential Information)

I, _____, have reviewed the Commission's Rule at 20 CSR 4240-2.135 on the ____ day of _____, 20__.

I have requested review of the highly confidential information produced in File No. ER-2024-0319 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 20 CSR 4240-2.135 and all terms of the Protective Order issued by the Commission in this docket.

Dated this _____ day of _____, 20_____.

Signature & Title

Employer

Party

Address

Telephone

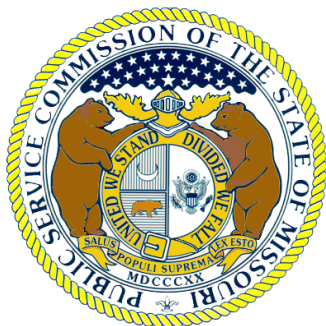
E-Mail Address

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 10th day of July 2024.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 10, 2024

File/Case No. ER-2024-0319

MO PSC Staff

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
(OPC)**

Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opc@psc.mo.gov

MO PSC Staff

Mark Johnson
200 Madison Street
Jefferson City, MO 65101
mark.johnson@psc.mo.gov

**Office of the Public Counsel
(OPC)**

Lindsay VanGerpen
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
lindsay.vangerpen@opc.mo.gov

Union Electric Company

Jennifer Hernandez
1901 Chouteau Avenue
Saint Louis, MO 63103
amerenmoservice@ameren.com

Union Electric Company

William Holthaus
1901 Chouteau Avenue
P.O. Box 66149, Mail Code 1310
St. Louis, MO 63103
amerenmoservice@ameren.com

Union Electric Company

James Lowery
9020 S. Barry Road
Columbia, MO 65203
lowery@jblawllc.com

Union Electric Company

Jennifer Moore
1901 Chouteau Avenue, Mail
Code 1310
St. Louis, MO 63103
jmoore499a@ameren.com

Union Electric Company

Wendy Tatro
1901 Chouteau Ave
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,



**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.