

# 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 ) **File No. EA-2024-0237**  
and Approval and Certificates of Public )  
Convenience and Necessity Authorizing it to )  
Construct a Simple Cycle Natural Gas )  
Generation Facility )

## ORDER ESTABLISHING PROTECTIVE ORDER

Issue Date: July 12, 2024

Effective Date: July 12, 2024

Union Electric Company d/b/a Ameren Missouri submitted an application for a certificate of convenience and necessity on June 7, 2024.<sup>1</sup> On July 8, 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 bid specifications for components, including the Engineering, Procurement, and Construction (EPC) contract, of the Castle Bluff Project, information regarding prospective data center customers, responses to various bid specifications and Requests for Proposals and Company analyses of those specifications, including consideration by the board of Directors, any agreement entered into by the Company with an EPC contractor and with entities that will design, construct, or maintain Project components, any testimony regarding the specific terms and conditions and various cost and pricing information related to the EPC contract and to various cost and pricing information, and the terms and conditions of agreements (and

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<sup>1</sup> All dates refer to 2024 unless otherwise indicated.

documents reflecting such terms and agreements) with entities that will construct Project components covered by the Agreements (Supplier terms). 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.

On July 9, Ameren Missouri filed a *Motion for Expedited Treatment of Motion for Protective Order*.<sup>2</sup> The Commission allowed responses by July 11 and none were received. The Commission will grant Ameren Missouri's motion.

**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.

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<sup>2</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.

- 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**

A handwritten signature in black ink that reads 'Nancy Dippell'. The signature is written in a cursive, flowing style.

Nancy Dippell  
Secretary

Riley G. Fewell, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 12<sup>th</sup> day of July, 2024.

**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 12<sup>th</sup> day of July 2024.**



*Nancy Dippell*  
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**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 12, 2024**

**File/Case No. EA-2024-0237**

**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@opc.mo.gov

**Grain Belt Express, LLC**

Anne Callenbach  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
acallenbach@polsinelli.com

**Grain Belt Express, LLC**

Jared Jevons  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112  
jjevons@polsinelli.com

**Grain Belt Express, LLC**

Sean Pluta  
7676 Forsyth Blvd  
Suite 800  
St. Louis, MO 63105  
spluta@polsinelli.com

**Grain Belt Express, LLC**

Andrew Schulte  
900 W. 48th Place, Suite 900  
Kansas City, MO 64112-6411  
aschulte@polsinelli.com

**Midwest Energy Consumers  
Group**

Tim Opitz  
308 E. High Street, Suite B101  
Jefferson City, MO 65101  
tim.opitz@opitzlawfirm.com

**MO PSC Staff**

Paul Graham  
200 Madison Street  
Jefferson City, MO 65101  
paul.graham@psc.mo.gov

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

Nathan Williams  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
nathan.williams@opc.mo.gov

**Renew Missouri Advocates**

Nicole Mers  
915 Ash Street  
Columbia, MO 65201  
nicole@renewmo.org

**Union Electric Company**

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

**Union Electric Company**

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

**Union Electric Company**

Wendy Tatro  
1901 Chouteau Ave  
St. Louis, MO 63103-6149  
amerenmoservice@ameren.com

**Union Electric Company**

Michael Tripp  
9020 S. Barry Road  
Columbia, MO 65203  
tripp@jblawllc.com

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

**Sincerely,**

A handwritten signature in black ink that reads "Nancy Dippell". The signature is written in a cursive, flowing style.

**Nancy Dippell  
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.