

# 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 Necessity Authorizing it to Construct Solar )  
Generation Facility(ies) )

**File No.: EA-2019-0371**

## PROTECTIVE ORDER

Issue Date: November 13, 2018

Effective Date: November 13, 2019

On September 3, 2019,<sup>1</sup> Union Electric Company d/b/a Ameren Missouri (the Company) filed an application with the Missouri Public Service Commission seeking an order granting Certificates of Convenience and Necessity (CCN) pursuant to section 393.170.1, RSMo 2018. The Company seeks three CCNs. The CCNs would authorize Ameren Missouri to construct, install, own, operate, maintain, and otherwise control and manage solar generating assets in Sullivan, Washington, and Livingston counties.

On November 13, 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 ordinarily 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, 20 CSR 4240-2.135(4), and to require the completion of a non-disclosure agreement to access information designated "confidential" by Conservation before that information is shared.

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<sup>1</sup> All date references are to 2019 unless otherwise stated.

On November 13, Conservation filed a Motion for Expedited Treatment asking the Commission to give expedited treatment to its Motion for Protective Order. Therein Conservation counsel stated she had consulted with counsel for all parties and none objected to the requested protective order. 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 dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Paul T. Graham, Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 13<sup>th</sup> day of November, 2019.

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT**

For Case No.: \_\_\_\_\_  
(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 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 an 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 on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

Exhibit A


**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 13<sup>th</sup> day of November 2019.**



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

**MISSOURI PUBLIC SERVICE COMMISSION**

**November 13, 2019**

**File/Case No. EA-2019-0371**

**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,***

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

***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.