

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Missouri-American Water)
Company's Request for Authority to Implement a) Case No. WR-2024-0320
General Rate Increase for Water and Sewer)
Service Provided in Missouri Service Areas.)

**MOTION FOR PROTECTIVE ORDER
AND EXPEDITED TREATMENT**

Comes now Missouri-American Water Company (MAWC or Company), and, as its *Motion for Protective Order and Expedited Treatment*, states as follows to the Missouri Public Service Commission (Commission):

1. MAWC believes there is a need for portions of materials to be produced or provided for inspection, in the course of discovery or otherwise in this matter, to be designated as Highly Confidential in accordance with Commission Rule 20 CSR 4240-2.135(4). Missouri Supreme Court Rule 56.01(c) provides that protective orders may be issued “to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense including . . . that a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way.”

2. Due to the nature of certain material regarding financial matters that are competitively sensitive (for example, materials the same or similar in nature to those requested by OPC data requests 3004, 3005, 3006 and 3008), security sensitive information, and certain cyber security materials, for which the “confidential” designation under Commission Rule 20 CSR 4240-2.135 may not provide adequate protection.¹ The security sensitive materials concern matters beyond those contemplated by the Confidential category of “security of a company’s facilities” addressed by Commission Rule 20 CSR 4240-2.135(2)(A).7 a.

¹ A similar Protective Order as to financial matters was requested by MAWC, and issued by the Commission, in

3. Accordingly, MAWC requests the following protective order for the financial and cyber security related matters described above:

a. Materials and information divulged by MAWC or other parties shall be considered to be “Highly Confidential” if so designated at the time of disclosure.

b. With regard to entities and individuals other than 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 MAWC 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.

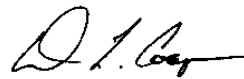
4. Pursuant to Commission Rule 20 CSR 4240-2.080(14), MAWC submits that an expedited grant of this Motion may facilitate the provision of information requested by parties in this case prior to their filing of written testimony on December 6, 2024. Therefore, a grant of this Motion is in the public interest.

5. Counsel for MAWC has comminated with counsel for the Staff of the Commission, the Office of the Public Counsel; The Empire District Electric Company d/b/a Liberty; Public Water

Supply District No. 1 of Andrew County; Public Water Supply District No. 2 of Andrew County; Missouri Industrial Energy Consumers; Triumph Foods, LLC; City of St. Joseph; City of Riverside; Midwest Energy Consumers Group; Consumers Council of Missouri; and AARP (all parties), and they have indicated their clients have no objection to a grant of this Motion for Protective Order.

WHEREFORE, MAWC requests a Commission order, pursuant to Commission Rule 20 CSR 4240-2.135(4), granting a protective order as described herein.

Respectfully submitted,



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**ATTORNEYS FOR MISSOURI-AMERICAN
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on November 20, 2024, counsel for all parties.

