

# 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 Revenues for Electric Service                )        **File No. ER-2024-0319**

## PROTECTIVE ORDER

Issue Date: December 9, 2024

Effective Date: December 9, 2024

On November 26, 2024, Vestas-American Wind Technology, Inc. (Vestas) filed a motion for a protective order to protect certain confidential information from exposure in this rate case. Vestas is not a party to this case, but has a Service Maintenance Agreement with Union Electric Company d/b/a Ameren Missouri for the High Prairie Renewable Energy Center located in Schuyler and Adair Counties, Missouri. Vestas seeks to protect trade secrets, Licensed Technology, and Intellectual Property designated as confidential under the Service Maintenance Agreement.

Under Commission Rule 20 CSR 4240-2.135(3)(A), a person does not need to be a party to request a protective order and any person may seek a protective order from the commission designating specific information as confidential.

Vestas information to be Designated and Protected as "Highly Confidential," pursuant to Commission Rule 20 CSR 240-2.135(4)(B), includes but is not limited to:

- a. Vestas's Preliminary Incident Review for B11;
- b. Vestas's B11 Evidence Preservation during Clean-up;
- c. Vestas's Agenda for Vestas-Ameren November 1 Call, including HP C12 Incident Review, HP B11 Lab Testing Update, and Open Discussion & Questions;
- d. Vestas's Preliminary Incident Review for G08; and
- e. A July 26, 2024 Letter from Lisin Metallurgical Services to Vestas re: HP G08

Fractured Bolt Evaluation Job No. 385-24-208;

Vestas states that these materials reference or concern Vestas' trade secrets relating to the wind turbine equipment that Vestas supplies and services. Vestas states that these materials are highly sensitive (commercially and competitively), confidential, and pertain to Vestas's proprietary information—including Vestas's trade secrets, Licensed Technology, and Intellectual Property.

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

**THE COMMISSION ORDERS THAT:**

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

a. Certain materials and information divulged by Vestas 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:

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"

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<sup>1</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.

**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 9<sup>th</sup> day of December 2024.**



*Nancy Dippell*  
\_\_\_\_\_  
**Nancy Dippell**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**December 9, 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) AARP**

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

John Coffman  
871 Tuxedo Blvd.  
St. Louis, MO 63119-2044  
john@johncoffman.net

**Consumers Council of Missouri**

John Coffman  
871 Tuxedo Blvd.  
St. Louis, MO 63119-2044  
john@johncoffman.net

**Metropolitan Congregations United**

Bruce Morrison  
319 North Fourth Street  
Suite 800  
St. Louis, MO 63102  
bamorrison@greatriverslaw.org

**Midwest Energy Consumers Group**

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

**Missouri Industrial Energy Consumers (MIEC)**

Diana Plescia  
130 S. Bemiston, Suite 200  
St. Louis, MO 63105  
dplescia@chgolaw.com

**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

**Renew Missouri**

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

**Renew Missouri**

James Owen  
915 East Ash  
Columbia, MO 65201  
james@renewmo.org

**Sierra Club**

Bruce Morrison  
319 North Fourth Street  
Suite 800  
St. Louis, MO 63102  
bamorrison@greatriverslaw.org

**Sierra Club**

Sarah Rubenstein  
319 N. 4th Street, Suite 800  
St. Louis, MO 63102  
srubenstein@greatriverslaw.org

**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,**

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.

in the possession of any entity or person, as well as any notes pertaining to such information, shall be returned to Vestas 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.

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 9<sup>th</sup> day of December, 2024.

**NONDISCLOSURE AGREEMENT**

**For Case No.: ER-2024-0319**

(To Access Highly Confidential Information of  
Vestas-American Wind Technology, Inc.)

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 of Vestas 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 party] \_\_\_\_\_ 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

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Address

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Telephone

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E-Mail Address