

Confidential Designation

The information redacted and/or not produced in the Public Redacted version of the above-referenced document has been designated confidential pursuant to the following checked subsection(s) of 20 CSR 4240-2.135(2)(A):

- 1. Customer-specific information;
- 2. Employee-sensitive personnel information;
- 3. Marketing analysis or other market-specific information relating to services offered in competition with others;
- 4. Marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;
- 5. Reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys, except that total amounts billed by each external auditor, consultant, or attorney for services related to general rate proceedings shall always be public;
- 6. Strategies employed, to be employed, or under consideration in contract negotiations;
- 7. Relating to the security of a company's facilities; or
- 8. Concerning trade secrets, as defined in section 417.453, RSMo.

Explanation of Confidential Designation:

Schedule NR-D1 (Confidential) is a Phase 2 DZTM Project One-line Diagram which ATXI designates as Confidential pursuant to 20 CSR 4240-2.135(2)(A)7, which refers to document and information “[r]elating to the security of a company’s facilities.” The One-Line Diagrams which constitute Schedule NR-D1 (Confidential) contain technical information about the design, configuration, and line identifiers for those circuits that renders Schedule NR-D1 Confidential the type of critical infrastructure information intended to be protected by 20 CSR 4240-2.135(2)(A)7.

The transmission systems of ATXI, including the proposed DZTM Project, constitute and contain “critical infrastructure” including “systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.” 42 U.S.C. §5195c(e).

The law defines certain “Critical Infrastructure Information” as:

- . . . information not customarily in the public domain and related to the security of critical infrastructure or protected systems, including documents, records or other information concerning:
 - (A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

- (B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or
- (C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

6 U.S.C. § 671(3); 6 C.F.R. § 29.2(b). The release of circuit design information relating to ATXI's transmission systems and functions could pose a threat to public safety and security.

Pursuant to the Order Regarding Motion to Make Information Public issued by the Missouri Public Service Commission (Commission) on February 27, 2025 in Docket EA-2025-0087, the Commission found that "ATXI, in its response to OPC's motion, has provided sufficient explanation for the confidentiality designation. Nonetheless, the Commission will direct ATXI to submit an amended Schedule NR-D1 with a cover sheet or pleading describing how the information qualifies as confidential under Commission Rule 20 CSR 4240-2.135(2)(A)7 and how that subsection applies." The Commission also directed "ATXI to limit the redaction of confidential information in Schedule NR-D1 to only the specific information that qualifies as confidential." In accordance with the February 27, 2025, order, ATXI has submitted this cover sheet and the information reflecting the general route orientation and the type of facilities to be installed have not been redacted in the Public Redacted version.