

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

In the Matter of the Application of)	
White River Valley Electric Cooperative, Inc.)	Case No. EO-2025-0228
For Approval of Designated Service Boundaries)	
Within Portions of Christian County, Missouri.)	

AMENDED MOTION FOR PROTECTIVE ORDER

COMES NOW White River Valley Electric Cooperative, Inc. (“White River”), and for its Amended Motion for Protective Order hereby requests the Commission, pursuant to 20 CSR 4240-2.135, to issue a protective order in this matter with respect to highly confidential financial and business information provided in conjunction with White River's Application. In support of its motion, Applicant states as follows:

1. White River is a rural electric cooperative engaged in the distribution of electric energy service to its members/customers.
2. White River has previously filed its Application herein which requires compliance with 20 CSR 4240-20.045. That regulation requires White River to supplement its Application with a feasibility study containing plans and specifications for the utility system, plans for financing, proposed rates and charges, and an estimate of the number of customers, revenues, and expenses during the first three (3) years of operations. Said feasibility study has been designated Appendix E to the Application.
3. White River filed a Motion for Protective Order of Appendix E to the Application on March 6, 2025.
4. On April 23, 2025, White River filed an updated feasibility study as Schedule RJ-03 attached to the Direct Testimony of Rick Johnson.
5. The feasibility study (Appendix E; Schedule RJ-03) is entitled to highly confidential designation pursuant to 20 CSR 4240-2.135(2)(A)(3)&(8) as it contains proprietary market-specific information and trade secrets relating to services offered in competition with others. The public disclosure of proprietary market-specific

information, detailed information regarding negotiated prices and conditions, and specific financing information, could result in anti-competitive behavior that might be unreasonably injurious to White River's business and its members/customers.

6. None of the highly confidential information contained in Appendix E has been released in any format in any public document.

7. The highly confidential information contained in the feasibility study may be disclosed while protecting the interests of White River and the public as follows:

A. With regard to entities and individuals other than the Staff of the Commission and the Office of the Public Counsel:

- a. Disclosure of materials or information so designated shall be made only to attorneys and/or to such outside experts/consultants who have executed a Commission Nondisclosure Agreement. No Highly Confidential information shall be provided directly or indirectly to any non-attorney other than to a designated outside expert/consultant who has executed a Commission Nondisclosure Agreement and filed it herein.
- b. 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.
- c. 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 White River or destroyed upon the conclusion of the referenced case.

- d. 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.

WHEREFORE, White River respectfully requests that the Commission issue its protective order in this proceeding with respect to White River’s highly confidential information contained in its feasibility study and designated as Appendix E to White River's Application and Schedule RJ-03 to the Direct Testimony of Rick Johnson.

Respectfully submitted,

/s/ Megan E. McCord
Megan E. McCord, #62037
Friel, McCord & Smiley, LLC
P.O. Box 14287
Springfield, MO 65814
Telephone: 417-227-8405
Email: mmccord@reclawfirm.com

**Attorney for White River Valley
Electric Cooperative, Inc.**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on April 23, 2025, to the following:

Office of the Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, Missouri 65102
staffcounservice@psc.mo.gov

/s/ Megan E. McCord