

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

In the Matter of The Empire District Electric Company's 2020 Annual Update Pursuant to Commission Rule 20 CSR 4240-22.080(3))
) **File No. EO-2020-0284**
)

PROTECTIVE ORDER

Issue Date: March 12, 2020

Effective Date: March 12, 2020

On March 11, 2020, The Empire District Electric Company, a Liberty Utilities company (Empire) filed a motion for a protective order. Empire stated that it anticipates the need to designate information submitted as part of its triennial compliance filing annual update report and possibly material produced during the course of discovery or otherwise in this matter as either “confidential” or “highly confidential.”

Empire's motion for a protective order seeks additional protection for certain competitively sensitive information regarding commodity prices and planned purchases. Empire seeks leave to designate that information as either "Confidential" or "Highly Confidential" as permitted by the Commission's confidential information rule at 20 CSR 4240-2.135. The Commission finds the request reasonable and will grant it.

THE COMMISSION ORDERS THAT:

1. The Empire District Electric Company's motion for a protective order of information related to commodity prices and planned purchases, is granted as follows:
 - a. Materials and information divulged by Empire 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” in the possession of any entity or person, as well as any notes pertaining to such information, shall be returned to Empire 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. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Nancy Dippell, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 12th day of March, 2020.

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 12th day of March 2020.**




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 12, 2020

File/Case No. EO-2020-0284

**Missouri Public Service
Commission**

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**Empire District Electric
Company, The**

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.