

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Union Electric)
Company d/b/a Ameren Missouri for Permission)
and Approval and Certificates of Public)
Convenience and Necessity Authorizing it to)
Construct a New Generation Facility and Battery)
Energy Storage System)

Case No. EA-2025-0238

PROTECTIVE ORDER

Issue Date: August 20, 2025

Effective Date: August 20, 2025

On June 26, 2025,¹ Union Electric Company d/b/a Ameren Missouri filed an application with the Commission requesting a Certificate of Convenience and Necessity for an 800-megawatt multi-unit simple cycle natural gas electric generation facility and a 400-megawatt battery storage facility on the former site of Ameren Missouri's Rush Island Energy Center. On the same day, Ameren Missouri also filed a *Motion for Protective Order*, requesting a protective order under Commission Rule 20 CSR 4240-2.135 allowing it to designate certain information as "highly confidential". On August 11, Ameren Missouri filed an *Amended Motion for Protective Order* (Amended Motion).

The Amended Motion explained that the information sought to be protected includes responses to various various bid specifications, responses to requests for proposals, and Ameren Missouri's analyses of these responses. Other information sought to be protected included certain agreements (and documents reflecting the terms of such agreements) regarding the projects, and testimony regarding the specific terms and conditions, various cost and pricing information. The Amended Motion also stated that

¹ All dates refer to 2025 unless otherwise noted.

the industrial customer market is an extremely competitive forum where information regarding customer pricing, supply costs, business relationships, market data, and other proprietary data are closely guarded trade secrets, and that many industrial customer contracts contain confidentiality provisions. The Amended Motion included exemplar disclosure forms for access to both confidential and highly confidential information.

The Commission set a time for responses to Ameren Missouri's Amended Motion. No responses were received.

The Commission finds the Amended Motion reasonable and will grant it.

THE COMMISSION ORDERS THAT:

1. Ameren Missouri's request for a protective order is granted as follows;
 - a. Materials and information divulged by Ameren Missouri or 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 party employee or other individual.
 - 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 the designating party 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 “Confidential” information in this case shall complete the nondisclosure agreement attached to this order as Exhibit A.

3. All persons authorized to access “Highly Confidential” information in this case shall complete the nondisclosure agreement attached to this order as Exhibit B.

4. This order shall be effective when issued.

BY THE COMMISSION



A handwritten signature in black ink that reads "Nancy Dippell".

Nancy Dippell
Secretary

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

Dated at Jefferson City, Missouri,
on this 20th day of August, 2025.

NONDISCLOSURE AGREEMENT

For Case No.: EA-2025-0238

(To Access Confidential Information)

I, _____, have reviewed the Commission's Rule at 20 CSR 4240-2.135 on the ____ day of _____, 20__.

I have requested review of the confidential information produced in Case No. EA-2025-0238 on behalf of _____.

I hereby certify that:

- (a) Only employees of a party that are acting as an expert for that party or that have been retained for this case as an outside expert for that party may receive confidential information;
- (b) An employee is a person in the service of his or her employer whose services are controllable by the employer.
- (c) I am employee of [state name of intervenor] acting as its expert and/or its employee who intends to file testimony in this docket, or I am an outside expert for [state name of intervenor] retained to provide expert consultation or testimony in this docket; and
- (d) I have read and agree to abide by the Commission's Rule at 20 CSR 4240-2.135.

Dated this ____ day of _____, 20__.

Signature and Title

Employer

Party

Address

Telephone

E-Mail Address

NONDISCLOSURE AGREEMENT
For Case No.: EA-2025-0238
(To Access Highly Confidential Information)

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 produced in Case No. EA-2025-0238 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 intervenor] 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 and Title

Employer

Party

Address

Telephone

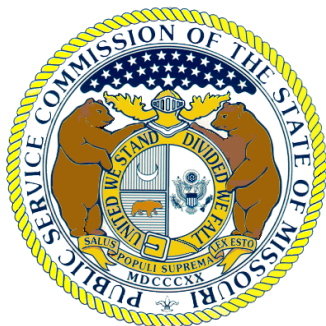
E-Mail Address

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 20th day of August 2025.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

August 20, 2025

File/Case No. EA-2025-0238

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

Sincerely,



**Nancy Dippell
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.