

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the 2021 RES Compliance)
Report and 2022 RES Compliance Plan of) **File No. EO-2022-0282**
The Empire District Electric Company d/b/a)
Liberty)

PROTECTIVE ORDER

Issue Date: April 21, 2022

Effective Date: April 21, 2022

On April 14, 2022, The Empire District Electric Company d/b/a Liberty (Liberty) filed its 2021 Renewable Energy Standard (RES) Compliance Report and 2022 RES Compliance Plan. Liberty filed portions of that Report and Plan as confidential, and other portions as highly confidential. Along with the Report and Plan, Liberty filed a motion asking the Commission to issue a protective order for additional protection to commercially sensitive information regarding materials subject to contractual agreements for nondisclosure. Liberty seeks leave to designate that information as Highly Confidential as permitted by the Commission's confidential information rule, 20 CSR 4240-2.135(4).

On April 15, 2022, the Commission issued its order establishing time to respond to Liberty's motion for protective order, requiring responses no later than April 20, 2022. That time has passed and no party has objected to Liberty's request for a protective order. The Commission will grant the request. The specific extra protections to be afforded to the information designated by Liberty as highly confidential are described in this order.

THE COMMISSION ORDERS THAT:

1. Competitively sensitive information designated by Liberty as highly confidential shall be disclosed only to attorneys of record for all parties, to state agency parties and their employees covered by statutory confidentiality requirements, and to

designated outside experts of any non-state agency party.

2. Except for attorneys of record for all parties, and state agency employees covered by statutory confidentiality requirements, all persons authorized to access “confidential” information in this case shall complete the nondisclosure agreement attached to this order as Exhibit A.

3. Except for attorneys of record for all parties, and state agency employees covered by statutory confidentiality requirements, all persons authorized to access “highly confidential” information in this case shall complete the nondisclosure agreement attached to this order as Exhibit B.

4. 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 this case and shall keep the materials and information secure and confidential and in accordance with the purposes and intent of the protective order.

5. All material and information designated as “highly confidential” in the possession of any entity or persons, other than in the Commission’s file, as well as any notes pertaining to such information, shall be returned to Liberty or destroyed upon the conclusion of this case.

6. 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 those dispute resolution procedures, the party may file a motion challenging the designation.

7. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Ross Keeling, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 21st day of April, 2022.

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT
For Case No.: EO-2022-0282
(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.
EO-2022-0282 on behalf of _____.

I hereby certify that I have read and agree to abide by the Commission's Rule at 20 CSR
4240-2.135.

Dated this _____ day of _____, 20_____.

Signature & Title

Employer

Party

Address

Telephone

E-Mail Address

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

**NONDISCLOSURE AGREEMENT
For Case No.: EO-2022-0282
(To Access Highly Confidential Information)**

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

The Protective Order issued in this case provides that only an outside expert retained by a party in this case may receive highly confidential information. I have requested review of the highly confidential information produced in Case No. **EO-2022-0282**.

I hereby certify that:

(a) I am an employee of _____ acting as an outside expert for [state name of party] _____ retained to provide expert consultation or testimony in this case;
and

(b) 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 case.

Dated this _____ day of _____, 20_____.

Signature & Title

Employer

Party

NONDISCLOSURE AGREEMENT
For Case No: EO-2022-0282
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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 21st day of April, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 21, 2022

File/Case No. EO-2022-0282

**Missouri Public Service
Commission**
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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.