

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

In the Matter of Evergy Metro, Inc. d/b/a)
Evergy Missouri Metro’s Request for)
Authority to Implement a General Rate)
Increase for Electric Service)
Case No. ER-2026-0143

PROTECTIVE ORDER

Issue Date: April 13, 2026

Effective Date: April 13, 2026

On February 6, 2026, Evergy Metro, Inc. d/b/a Evergy Missouri Metro (Evergy Metro) submitted tariff sheets to initiate a general rate case. On March 10, 2026, Google LLC (Google) and Velvet Tech Services, LLC (Velvet) were granted intervention and on April 2, 2026, Google and Velvet filed *Joint Motion for Protective Order & Request for Expedited Treatment*. The Motion requested a protective order for certain materials and information considered “Highly Competitive-Highly Sensitive” by Google and Velvet to establish procedures for controlling the flow of highly confidential information among the parties.

The motion explains that Google and Velvet seek protection for highly sensitive, competitive market data, financial information, and other proprietary transactional data. The motion explains that Highly Competitive-Highly Sensitive protection for these materials is needed because other parties may seek disclosure of confidential and proprietary information relating to data center infrastructure, competitively sensitive contracts and negotiations, communications subject to nondisclosure agreements, resource usage, and other proprietary information relating to selection of data center locations and operation of data centers. The Motion states that disclosure of such Highly Confidential-Highly Sensitive information would irreparably harm Google and Velvet

because it would give other parties knowledge of information that would affect their relative bargaining positions. Google and Velvet requested the Commission issue an order no later than April 8, 2026.

On April 6, 2026, Google and Velvet filed a notice and amended motion for a protective order. The notice and accompanying motion explain that Intervenors learned that implementing a new Highly Confidential-Highly Sensitive designation in the Commission's Electronic Filing and Information System (EFIS) would be overly burdensome to the Commission's Data Center. Google and Velvet now believe that the protections provided by a Highly Confidential designation are sufficient because EFIS sufficiently limits access of Highly Confidential information to the Staff of the Commission, the Office of the Public Counsel, and attorneys of record. Google and Velvet changed the requested date for a Commission order to no later than April 10, 2026.

The Commission shortened the time for responses.

On April 7, 2026, the Office of the Public Counsel (Public Counsel) filed a response to Google and Velvet's motion for protective order. Public Counsel does not oppose the motion, but asserts that Commission rule 20 CSR 4240-2.135(1), which provides that all items filed in a case are open to the public unless protected by Commission rule or law, indicates that the Commission desires transparency in its proceedings. Public Counsel proposed additional language to include in a protective order that it believes necessary to comply with the requirements of the Commission Rule 20 CSR 4240-2.135 regarding the handling of confidential information.

On April 8, 2026, Google and Velvet replied to Public Counsel's response proposing some changes to Public Counsel's proposed additional language.

On April 9, 2026, Evergy Metro filed a motion in support of Google and Velvet's modified language and in opposition to Public Counsel's request for a separate cover page with the category the Highly Confidential information falls into and an explanation.

On April 10, 2026, Public Counsel sur-replied that it felt Google and Velvet's modifications were not sufficient.

The Commission will grant the motion with modifications. The following provisions do not relieve any party of compliance with Commission Rule 20 CSR 4240-2.135.

THE COMMISSION ORDERS THAT:

1. The following Protective Order is established:
 - a. Materials and information divulged by Google and Velvet, or other parties, shall be considered "Highly Confidential" if so designated at the time of disclosure.
 - b. Mark the specific Highly Confidential information by preceding and following it with triple asterisks and mark each page of the document in the footer with "Highly Confidential" or "HC"; and
 - c. In designating material as Highly Confidential, the proponent of such classification shall identify into which of each of the following categories the information belongs and why it the information belong there:
 - i. Information relating to data center operation, including, but not limited to:
 1. Data center customer specific information;
 2. Data center customer pricing;
 3. Data center supply costs;

4. Data center business relationships;
5. Data center market data;
6. Other data center proprietary data;
7. Protected data center trade secrets; and

ii. Information relating to confidential contracts entered into relating to data centers, and

d. The proponent of the Highly Confidential classification shall explain why disclosure of the specifically identified information would harm the person making the Highly Confidential designation, or would create a competitive advantage for parties to this proceeding over other parties and non-party competitors.

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

- i. Disclosure of materials and information designated Highly Confidential shall be made only to outside attorneys, outside consultants, and/or attorneys of record for investor-owned utilities, who have executed a Commission Non-Disclosure Agreement for Highly Confidential information. 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 this 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 conclusion of the referenced case.

f. 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. The forms for use in accessing confidential information in these cases are attached to this order as Exhibit A (for access to “Confidential” information) and Exhibit B (for access to “Highly Confidential” information).

3. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 13th day of April, 2026.

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

NONDISCLOSURE AGREEMENT

For Case No.: ER-2026-0143
(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. ER-
2026-0143 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 an 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 on this _____ day of _____, 20_____.

Signature & Title

Exhibit A

NONDISCLOSURE AGREEMENT

(To Access Confidential Information)
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Employer

Party

Address

Telephone

E-Mail Address

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

NONDISCLOSURE AGREEMENT

For Case No.: ER-2026-0143
(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. ER-2026-0143 on behalf of

_____.

I hereby certify that:

(a) Only certain persons may receive Highly Confidential information. These persons include outside attorneys of record for a party in the case, outside consultants retained by a party in this case, and attorneys of record for investor-owned utilities, who have executed a Highly Confidential Nondisclosure Agreement. Commission Staff and Office of Public Counsel, and their outside consultants may receive unredacted HC documents and 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.

NONDISCLOSURE AGREEMENT

(To Access Highly Confidential Information)

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Dated on this _____ day of _____, 20_____.

Signature & Title

Employer

Party

Address

Telephone

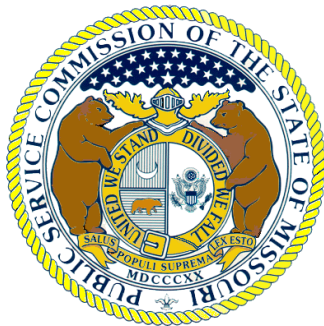
E-Mail Address

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 13th day of April 2026.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

April 13, 2026

Case No: ER-2026-0143

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).¹

Sincerely,



**Nancy Dippell
Secretary**

¹

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