BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Union Electric Company d/b/a Ameren Missouri's Tariffs to Adjust Its Revenues for Electric Service.	)))	File No. ER-2026-0291

MOTION FOR PROTECTIVE ORDER

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Company" or "Ameren Missouri"), and pursuant to 20 CSR 4240-2.135(4) requests issuance by the Missouri Public Service Commission ("Commission") of a protective order as outlined herein, and requests expedited treatment of its motion. In support of its request, Ameren Missouri states as follows:

Request for Protective Order

1. Under 20 CSR 4240-2.135(6), absent a specific order issued under 20 CSR 4240-2.135(4), information defined as "Confidential" by 20 CSR 4240-2.135(2)(A) is available to the attorneys of record for a party in the Commission case at issue, persons designated by a party as an outside expert in that case, *and* to employees of a party if those employees are working as subject-matter experts for the attorneys or intend to file testimony, upon a filing by such an employee of the certification required by 20 CSR 4240-2.135(7).

2. For reasons similar to those recognized by the Commission in other cases where commercially-sensitive information related to the construction of generation facilities was at issue,[1] there is certain information in the Company's direct case filing, and information that may, or likely will,

[1] File No. EA-2016-0358 (Grain Belt Express); EO-2018-0092 (Empire Customer Savings Plan); EA-2018-0202 and EA-2019- 0021 (Ameren Missouri's Certificates of Convenience and Necessity ("CCN") applications for the High Prairie and Brickyard Hills wind facilities); EA-2022-0245 (Ameren Missouri's CCN application for the Boomtown solar facility); and EA-2023-0286 (Ameren Missouri's pending application for CCNs for four solar generation facilities); EA-2024-0237 (Ameren Missouri's CCN application for the Castle Bluff simple cycle natural gas generation facility); EA-2025-0238 (Ameren Missouri's CCN application to Construct a New Generation Facility and Battery Energy Storage System Facility); and EA-2025-0239 (Ameren Missouri's CCN application for the Reform Solar Project).

be the subject of discovery requests that should not be available to employees of any non-state agency entities not covered by statutory confidentiality requirements who may become parties to this case.[2] Consequently, the Company seeks a protective order allowing it to designate such information as "Highly Confidential" under 20 CSR 4240-2.135(4). In addition, the Company seeks a protective order allowing it to designate information and agreements between Ameren Missouri and prospective or actual customers who would take service under its Large Load Customer Service ("LLCS") Service Classification[3] and associated tariff schedules and riders as "Highly Confidential Highly Sensitive."

3. Under 20 CSR 4240-2.135(4), a motion for greater protection, like this one, must explain the following:

A. What information must be protected,

B. The harm to the disclosing entity or the public that might result from disclosure of the information ("Potential harm"), and

C. How the information may be disclosed while protecting the interests of the disclosing entity and the public.

4. What information must be protected: Information that should be designated as Highly Confidential includes: (A) responses to these various bid specifications and Requests for Proposals ("RFPs") and Company analyses of these responses, including consideration by the Board of Directors; (B) any agreements (and documents reflecting the terms of such agreements), entered into by the Company with any entities that will design, construct, and/or maintain components of the Projects; (C) any testimony regarding the specific terms and conditions and various cost and pricing information

[2] Employees of the Commission, the Office of the Public Counsel, and the Division of Energy are all covered by statutes protecting the confidentiality of information submitted to the Commission by utilities.

[3] The provisions are currently part of Service Classification 11(M) but will become a new service classification, Service Classification 14(M), as part of implementing new rates in this case, as contemplated by the Commission's final order in File No. ET-2025-0184.

related to the agreements described in B above and to various cost and pricing information; and (D) the terms and conditions of agreements (and documents reflecting such terms and conditions) with entities that will construct components of each Project covered by the agreements (the "Supplier Terms").

5. Information that should be designated as Highly Confidential Highly Sensitive includes information and agreements related to confidential contracts entered into between Ameren Missouri and prospective or actual large load customers who would take service under the Commission-approved LLCS rate schedule and associated schedules and riders.[4]

6. To the extent such information is contained in the Company's direct case filing, it has been designated as Highly Confidential or Highly Confidential Highly Sensitive in accordance with 20 CSR 4240-2.135(4)(B). If additional information falling within these categories is to be produced in discovery or in later-filed testimony, or other evidence to be presented in this case, it will likewise be designated as IIighly Confidential or IIighly Confidential IIighly Sensitive, as appropriate. The information for which Highly Confidential and Highly Confidential Highly Sensitive treatment is sought cannot be found in any other public document.

7. Potential harm: Highly Confidential protection for these materials is needed for several reasons. The Company continues to engage in negotiations with contractors for additional generation resources needed as described in the Company's Integrated Resource Plan. The Company may, in the near-term or later, engage in such discussions for generation needed for other purposes. The Company and each contractor, as a routine course, enter into a Non-Disclosure Agreement to ensure that proprietary and competitively sensitive information is not disclosed. It would be harmful to the Company, and ultimately its customers, if the pricing, terms, and conditions negotiated for the projects

[4] File No. ET-2025-0184.

that are the subject of this Application were known to other potential counterparties. It could also potentially be harmful to other Missouri electric utilities and their customers for the same reasons.

8. Additionally, the interests of the contractors, equipment suppliers, and other suppliers whose pricing informed cost information in this docket could also be harmed due to the highly sensitive and competitive nature of their costs and pricing. This is why the Supplier Terms contain confidentiality provisions and the Company's RFPs (as is typical of RFPs of this type) contain the Company's agreement to maintain the confidentiality of the RFP responses.

9. Highly Confidential Highly Sensitive protection for certain materials is needed for several reasons. In recognition of the concerns of prospective customers under the LLCS rate schedule in File No. ET-2025-0184, the Commission approved an amendment to a protective order affording even greater protection to such customers' highly sensitive, competitive information.[5] That Protective Order was issued based upon the Amended Joint Motion for Protective Order filed in that docket by Amazon Data Services, Inc. and Google LLC. That motion articulates why it was appropriate in that docket – and for those same reasons is appropriate in this docket – to create a "Highly Confidential Highly Sensitive" classification. Specifically, the Commission issued the August 12, 2025, Protective Order in that docket which:

> Allow[ed] parties to additionally designate as "Highly Confidential Highly Sensitive or HCHS" the following (1) confidential information relating to the data center operations, including customer specific data, customer pricing, supply costs, business relationships, market data, other proprietary data and protected trade secrets; and (2) information relating to confidential contracts entered into relating to data centers.

10. 20 CSR 4240-2.135(4) is in keeping with Missouri Supreme Court Rule 56.01(c)(7), which provides that protective orders may be issued "… to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including ... that a trade secret or other

[5] *See Protective Order*, File No. ET-2025-0184 (Aug. 12, 2025).

confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way ...."

11. How the information may be disclosed while protecting the interests of the disclosing entity and the public: Granting this protective order will prevent access to competitively sensitive information that could work to the disadvantage of counterparties to other generation negotiations. Additionally, the Company also continues to engage in negotiations with other contractors related to potential generation projects. Furthermore, the Company continues to engage with potential and actual customers seeking service or served under the Company's LLCS rate schedule and associated rate schedules and/or riders.

12. The information designated as Highly Confidential or Highly Confidential Highly Sensitive will still be disclosed to attorneys of record for all parties to the case, to any state agency parties and their employees covered by statutory confidentiality requirements, and to designated outside experts of any non-state agency.

13. Attached to this motion are the non-disclosure agreement forms the Commission directed to be used in File No. EA-2025-0238, as well as several other dockets. The Company requests that the Commission direct use in this docket of the form marked as Exhibit A hereto for those persons who will be authorized to access "Confidential" information. Further, the Company requests that the Commission direct use in this docket of the form marked as Exhibit B hereto for those persons who will be authorized to access "Highly Confidential" and "Highly Confidential Highly Sensitive" information.

14. Under 20 CSR 4240-2.135(10), "confidential" information is to be denoted as follows: **__**confidential information**__**. Because Ameren Missouri has submitted "confidential" information, "highly confidential," and "highly confidential highly sensitive" information, Ameren Missouri will

utilize three asterisks to denote "highly confidential" and "highly confidential highly sensitive" information, as follows: ***__**highly confidential information**__*** and ***__**highly confidential highly sensitive information**__***.

WHEREFORE, Ameren Missouri respectfully requests that the Commission issue a protective order as requested herein and direct the use of the Non-Disclosure Agreement forms marked as Exhibits A and B attached hereto.

Respectfully submitted,

/s/Jermaine Grubbs
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Wendy K. Tatro, Mo Bar #60261
Senior Director and Assistant General Counsel
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ATTORNEYS FOR UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copy of the foregoing was served on counsel for all parties of record via electronic mail on this 26th day of June, 2026.

/s/ Jermaine Grubbs

NONDISCLOSURE AGREEMENT
For Case No.: ER-2026-0291
(To Access Confidential Information)

I, Maggie Ackenhausen, have reviewed the Commission's Rule at 20 CSR 4240-2.135 on the 3 day of November 2026.

I have requested review of the confidential information produced in Case No. ER-2026-0291 on behalf of Missouri Industrial Energy Consumers ("MIEC")

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;

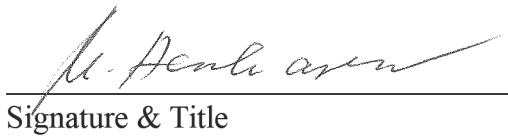
(b) An employee is a person in the service of his or her employer whose services are controllable by the employer.

(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 3rd day of November, 2026.

EXHIBIT A



Signature & Title

Consultant

Employer
Brubaker & Associates, Inc. ("BAI")

Party

Missouri Industrial Energy Consumers ("MIEC")

Address

16690 Swingly Ridge Rd., Ste. 140, Chesterfield, MO 63017

Telephone 636.898.6725

mackenhausen@consultbai.com

E-Mail Address

EXHIBIT A

NONDISCLOSURE AGREEMENT

For Case No.: ER-2026-0291

(To Access Highly Confidential and Highly Confidential Highly Sensitive Information)

I, Maggie Ackenhausen, have reviewed the Commission's Rule at 20 CSR 4240-2.135 on the 3rd day of November, 2026.

I have requested review of the highly confidential information produced in Case No. ER-2026-0291 on behalf of Missouri Industrial Energy Consumers ("MIEC").

I hereby certify that:

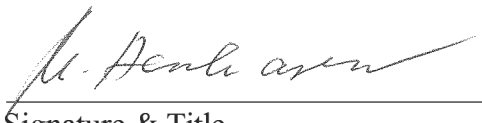
(a) Only an outside expert retained by a party in this case may receive highly confidential information;

(b) I am an employee of Brubaker & Associates, Inc. ("BAI") acting as an outside expert for [state name of intervenor] MIEC 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 3rd day of November, 2026.

EXHIBIT B



Signature & Title

Consultant

Employer
Brubaker & Associates, Inc. ("BAI")

Party

Missouri Industrial Energy Group, Inc. ("MEIC")

Address

16690 Swingley Ridge Rd., Ste. 140, Chesterfield, MO 63017

Telephone 636.898.6725

mackenhausen@consultbai.com

E-Mail Address

EXHIBIT B