



Missouri Public Service Commission

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July 2, 2001

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P. O. Box 360
Jefferson City, MO 65102

FILED³
JUL 02 2001
Missouri Public
Service Commission

RE: Case No. EC-2002-1 – Staff of the Missouri Public Service Commission, Complainant, vs. Union Electric Company, d/b/a/ AmerenUE, Respondent.

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **MOTION FOR PROTECTIVE ORDER**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Steven Dottheim
Chief Deputy General Counsel
(573) 751-7489
(573) 751-9285 (Fax)

Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUL 02 2001

Missouri Public
Service Commission

Staff of the Missouri Public Service)
Commission,)
)
)
Complainant,)
)
v.)
)
Union Electric Company, d/b/a/)
AmerenUE,)
)
)
Respondent.)

Case No. EC-2002-1

MOTION FOR PROTECTIVE ORDER

COMES NOW the Staff of the Missouri Public Service Commission and respectfully requests the Commission to issue a Protective Order in this proceeding. In support of this Motion, the Staff states as follows:

1. In conjunction with this Motion, Staff is filing an excess earnings complaint against Union Electric Company, d/b/a AmerenUE ("AmerenUE"). As part of its direct case, Staff is filing information provided to Staff by AmerenUE, some of which has been asserted by AmerenUE to be "Proprietary" as that term is used in the Commission's standard protective order. Staff expects that over the course of the proceeding being initiated by the Staff's filing this date, other parties to the case (including AmerenUE) will also file and otherwise refer to information provided by AmerenUE, in written form through filings and orally at hearing, that

are asserted to be “Proprietary” or “Highly Confidential” as defined in the Commission’s standard protective order.

2. Based upon its prior experience, the Staff believes that certain information that may become a part of the record in this case although relevant to the proceedings, should not be treated as part of the open public record because it may be: (a) “Proprietary” in that the information may contain trade secrets, as well as confidential or private technical, financial, and business information; or (b) “Highly Confidential” in that it may concern information that is customer-specific; employee-sensitive; marketing analyses or other market-specific information relating to services offered in competition with others; reports, work papers or other documentation related to work produced by internal or external auditors or consultants; or strategies employed, to be employed, or under consideration in contract negotiations.

3. Section 386.480 RSMo. 2000 provides that “[n]o information furnished to the commission by a corporation . . . shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding.”

4. AmerenUE has provided certain information to the Staff on the basis that it will be treated as “Proprietary” or “Highly Confidential” as those terms are used in the Commission’s standard protective order. AmerenUE has indicated or alleged that the public disclosure of this information will harm the AmerenUE’s business interests.

5. AmerenUE in essence has alleged that the information subject to the proposed Protective Order will not be found in any publicly available document.

WHEREFORE, pursuant to 4 CSR 240-2.085, the undersigned respectfully requests that the Commission issue its standard Protective Order in this proceeding which covers both Highly

**Service List for
Case No. EC-2002-1
July 2, 2001**

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