

Confidential Designation
4 CSR 240-2.135 (2)

(A) Any person may submit to the commission, without first obtaining a protective order, information designated as confidential if that information is—

- ☐ 1. Customer-specific information;
- ☐ 2. Employee-sensitive personnel information;
- ☒ 3. Marketing analysis or other market-specific information relating to services offered in competition with others;
- ☒ 4. Marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;
- ☐ 5. Reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys, except that total amounts billed by each external auditor, consultant, or attorney for services related to general rate proceedings shall always be public;
- ☐ 6. Strategies employed, to be employed, or under consideration in contract negotiations;
- ☐ 7. Relating to the security of a company's facilities; or
- ☐ 8. Concerning trade secrets, as defined in section 417.453, RSMo.

Explanation:

The documents attached to this *Notice of Amended Agreement* are drawn from information garnered as a result of a Request for Proposals ("RFP"), which is a form of marketing analysis or other market-specific information as defined above. Please note that the RFP process has not yet resulted in a final decision and/or an executed agreement. Disclosure of the information contained therein could have the following detrimental impact to Ameren Missouri and its customers:

- Disclosure to Ameren Missouri's competitors would provide them with an undue advantage over the Company in negotiations for the services sought; and
- Disclosure to all RFP respondents could affect ongoing negotiations with the parties, as well as harm Ameren Missouri's reputation as an entity that appropriately shelters information from competitive respondents.

As a result, public disclosure could influence respondents' willingness to submit RFP responses, as well as the terms of any bids. The end result would be higher bids, perhaps fewer bidders, and eventually higher costs to Ameren Missouri's customers, which furthers no public purpose.