

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

NOV 02 2007

 Docket
Room

**In the Matter of the Application of Midwest)
Energy, Inc. for Approval to Make Certain) Docket No.: 08-MDWE-423-RTS
Changes in its Charges for Electric Service.)**

MOTION FOR PROTECTIVE ORDER

COMES NOW, Midwest Energy, Inc. (“Midwest Energy”), and hereby requests that the State Corporation Commission of the State of Kansas (“Commission” or “KCC”) issue a Protective Order in this docket. In support of its motion, Midwest Energy states as follows:

1. On November 2, 2007, Midwest Energy filed a rate Application before the Commission requesting certain changes to its M System electric rates, and for other related relief. As part of the filing, some of the information Midwest Energy submitted was confidential and proprietary information, as defined in K.S.A. 66-1220a and K.A.R. 82-1-221a. Additionally, during the course of discovery and investigation of the rate Application, Midwest Energy anticipates that the parties, Commission Staff, CURB and interveners could seek the production of documents and information from Midwest Energy that may contain confidential, proprietary and/or commercially sensitive material.

2. The confidential information included in the rate Application falls into two broad categories: (a) highly sensitive information concerning Midwest Energy’s existing power supply portfolio and forward-looking information concerning the Company’s long-term electricity supply plan; and (b) information concerning Midwest Energy’s RFP for generation and capacity and the confidential responses received by Midwest Energy in response to the RFP.

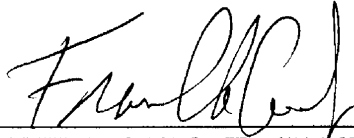
3. The public disclosure of such information would adversely impact the financial interests of Midwest Energy and/or the security of Midwest Energy's assets. Midwest Energy requests that the Commission issue its standard protective order to govern this proceeding, in order to protect Midwest Energy and parties who might be granted leave to intervene in this docket from the disclosure of sensitive, proprietary, and highly confidential information, and to facilitate the investigation of this matter.

4. Midwest Energy submits that, pursuant to K.S.A. 66-1220a, the interest in maintaining the confidential status of qualifying material, and avoiding the substantial competitive harm that otherwise would result to the parties, outweighs any interest in disclosing the material to unauthorized parties or in proceedings unrelated to the Application. For these reasons, Midwest Energy requests that the Commission issue its standard Protective Order to govern the review and protection from unwarranted public disclosure of any confidential information in this proceeding.

5. The Commission has substantial latitude in deciding when a protective order is appropriate and the degree of protection that is required. A Protective Order will enable the Commission to manage the discovery process in a manner that furthers the goal of full disclosure of relevant, non-sensitive information, while at the same time, protecting participants from harm that would result from the unregulated disclosure of commercially sensitive information.

WHEREFORE, Midwest Energy requests that the Commission grant this motion and issue the requested Protective Order and that the said Protective Order apply to all parties in this proceeding.

Respectfully submitted,



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ATTORNEYS FOR MIDWEST ENERGY, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing pleading has been faxed, hand-delivered and/or mailed, First Class, postage prepaid, this November ~~2~~²¹, 2007, to:

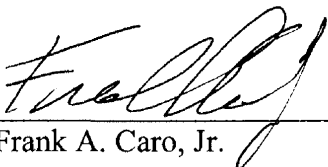
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