

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MIDAMERICAN ENERGY COMPANY	DOCKET NO. RPU-2018-0003
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**ORDER GRANTING REQUESTS FOR CONFIDENTIAL TREATMENT FILED  
MAY 30, AUGUST 10, AND SEPTEMBER 14, 2018**

(Issued September 20, 2019)

On May 30, 2018, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) an “Application for Determination of Ratemaking Principles” and direct testimony seeking ratemaking principles for its proposed 591-megawatt Wind XII Project (Wind XII). MidAmerican also filed a request for confidential treatment of certain information included in its application.

On December 4, 2018, the Board issued a “Final Decision and Order” approving ratemaking principles. When the Board issued its final order, there were several outstanding requests for confidential treatment MidAmerican filed on May 30, August 10, and September 14, 2018.

The information for which MidAmerican sought confidential treatment relates to MidAmerican’s pricing, fees, contract terms, contract vendors, revenue, net earnings, return on equity, revenue sharing, economic analyses, capacity factor, wind farm site information, ongoing vendor negotiations (including vendor names), cost

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and revenue projections, processes and methodologies for developing renewables projects, and the amount of project costs of Wind XII (collectively, Confidential Information).

MidAmerican stated that the Confidential Information consists of trade secrets, which are recognized and protected as such by law, and requests that the Information be kept confidential under Iowa Code § 22.7(3). MidAmerican also stated that the Confidential Information constitutes a report to this Board which, if released, would give advantage to suppliers, vendors, and competitors and would serve no public purpose under Iowa Code of Iowa § 22.7(6). MidAmerican stated that the Confidential Information constitutes a communication not required by law, rule, procedure or contract that, if released, would threaten the economic interests of MidAmerican and its customers and discourage such communications under Code of Iowa § 22.7(18).

The Board notes that the Confidential Information was filed as confidential through the Board's electronic filing system in accordance with Iowa Admin. Code 199—14.12, governing documents containing confidential material. No objections to MidAmerican's requests for confidential treatment were filed with the Board. The Board will grant the requests for confidential treatment filed on May 30, August 10, and September 14, 2018. The Board finds that the Confidential Information detailed above meets the requirements of Iowa Code § 22.7(6) and should be protected from public disclosure. The Confidential Information was filed with the Board in its

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electronic filing system and constitutes a report to a government agency. The disclosure of the Confidential Information that is the subject of MidAmerican's requests for confidential treatment would give advantage to MidAmerican's competitors and not serve a public purpose. The Confidential Information was separately filed and the requests were supported by affidavits from corporate officers as required by Board rules.

The Board notes that the filed Confidential Information may also be confidential as a trade secret pursuant to Iowa Code § 22.7(3), or a communication not required by law, rule, procedure or contract that, if released, would threaten the economic interests of MidAmerican and its customers under Iowa Code § 22.7(18). However, because the Board finds the Confidential Information should be held confidential under Iowa Code § 22.7(6), the Board does not reach the question of whether the information is a trade secret or a communication not required by law, rule, procedure or contract that, if released, would threaten the economic interests of MidAmerican and its customers.

### **ORDERING CLAUSES**

#### **IT IS THEREFORE ORDERED:**

1. The requests for confidential treatment filed by MidAmerican Energy Company on May 30, August 10, and September 14, 2018, are granted under the provisions of Iowa Code § 22.7(6).

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2. The Confidential Information for which the Board has granted confidential treatment shall be withheld from public inspection by the Utilities Board subject to the provisions of Iowa Admin. Code 199—1.9(8)(b)(3).

**UTILITIES BOARD**

/s/ Geri D. Huser

/s/ Nick Wagner

ATTEST:

/s/ Kelsie Vanderflute

/s/ Richard W. Lozier, Jr.

Dated at Des Moines, Iowa, this 20<sup>th</sup> day of September, 2019.