

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NOS. SPU-2021-0003, RPU-2022-0001
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ORDER REQUESTING PROPOSALS AND SCHEDULING ORAL ARGUMENT

PROCEDURAL BACKGROUND

On May 13, 2021, the Utilities Board (Board) opened Docket No. SPU-2021-0003 as part of its final order in Docket No. EPB-2020-0156 to review MidAmerican Energy Company's (MidAmerican) long-term resource plans, to review the reasonableness and prudence of MidAmerican's procurement and contracting practices related to the acquisition of fuel for use in generating electricity, and to address a forecast of future gas requirements or electric generating needs. Additionally, the docket allows interested parties to analyze MidAmerican's long-term resource needs, including consideration of least-cost options for generation, environmental requirements, reliability, baseload generation, and economic development potential.

On August 12, 2021, MidAmerican made its initial filings and a request for confidentiality that encompassed most documents, including issues of both potential confidentiality and attorney-client privilege or attorney work product. In its filing, MidAmerican also made a request for clarification from the Board as to whether the docket is limited to a review of MidAmerican's management practices as permitted by Iowa Code § 476.2(4), and thus is an informational docket, or if the docket is a contested case proceeding.

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Several parties responded, including the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice; Facebook, Inc.; Google LLC; Iowa Business Energy Coalition (IBEC); and the Environmental Law and Policy Center, Iowa Environmental Council, and Sierra Club (collectively, Environmental Organizations). These parties filed various documents including motions to compel, requests for additional time, and a request for intervention.

OUTSTANDING ISSUES AND DOCKET NO. RPU-2022-0001

There are three current, outstanding issues before the Board in Docket No. SPU-2021-0003: (1) MidAmerican's appeal of the presiding officer's proposed order; (2) IBEC's intervention request; and (3) a determination of whether this docket is a contested case proceeding or an informational docket. Those issues have not been addressed at this time.

On January 19, 2022, MidAmerican filed an application for a determination of advance ratemaking principles, identified as Docket No. RPU-2022-0001. This application, referred to as Wind PRIME, would add up to 2,042 megawatts (MW) of new wind generation and up to 50 MW of solar generation to MidAmerican's generation fleet, which would give MidAmerican more than 9,300 MW of wind generation and nearly 200 MW of solar generation. MidAmerican states this would allow MidAmerican to serve a projected 111% of its customers' annual energy needs with renewable generation in 2025. The Wind PRIME application implicates MidAmerican's long-term resource plan for generation to address its customers' future needs. Wind PRIME's application also implicates consideration of cost options for generation, environmental requirements, reliability, baseload generation, and economic development potential.

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In reviewing the issues to be addressed in Docket No. SPU-2021-0003 and the issues that have been raised by the application in Docket No. RPU-2022-0001, the Board has determined that important issues regarding MidAmerican's resource planning are raised in both dockets. Given the overlapping issues, the Board requests input in order to determine the most efficient method for obtaining the necessary information and for the Board to address those issues.

Additionally, in the district court's rulings in Case No. CVCV061992, the court has affirmed the Board's ruling in Docket No. EPB-2020-0156, approving MidAmerican's 2020 emissions plan and budget while noting that OCA and the Environmental Organizations' due process rights were protected when the Board opened a contested case proceeding in the SPU docket. Given these findings, and because Docket No. RPU-2022-0001 is a contested case proceeding, the Board questions the efficiency of running two concurrent contested case proceedings that involve many of the same issues.

The Board initially identifies three potential options: (1) consolidate Docket Nos. SPU-2021-0003 and RPU-2022-0001 and set one procedural schedule; (2) stay Docket No. SPU-2021-0003 until such time as the final order is issued in Docket No. RPU-2022-0001 to allow for the Board to consider the overlapping issues in Docket No. RPU-2022-0001; or (3) proceed with both dockets simultaneously and address the overlapping issues separately in each docket. The Board is requesting interested persons file their proposed comments addressing the three options described above, or any other options, and participate in a discussion at an oral argument explaining their recommendations of how to most efficiently approach the overlapping issues in these

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two dockets. Comments will be required to be filed in both Docket Nos. SPU-2021-0003 and RPU-2022-0001 on or before April 14, 2022, and those commenters will be required to attend the oral argument.

The Board will schedule an oral argument for 9 a.m. April 21, 2022, in the Board's Hearing Room to discuss the various proposals and ask questions of the commenters. Oral argument will be reserved for those persons who provide comments about how to proceed with addressing the overlapping issues of Docket Nos. SPU-2021-0003 and RPU-2022-0001. The oral argument will be held both in person and via webinar and will be transcribed by a court reporter. Information for attending the oral argument via webinar will be provided on the Board's website, iub.iowa.gov, on the Hearing and Meeting Calendar page.

On or before April 18, 2022, all parties who filed comments proposing a procedural method to address the overlap of these issues shall file a document identifying who will be participating in the hearing, whether the participant will attend in person or via webinar, and who will be the primary speaker.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. An oral argument is scheduled for 9 a.m. April 21, 2022, in the Utilities Board Hearing Room, located at 1375 E. Court Ave., Des Moines, Iowa.

2. Participation in the oral argument may be in person or by webinar. Persons with disabilities who will require assistive services or devices to observe or participate in this technical conference should contact the Utilities Board at (515) 725-7300 to request arrangements.

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3. Instructions for participation via webinar will be posted on the Utilities Board's website, iub.iowa.gov, on the Hearing and Meeting Calendar page.

4. Comments or proposals regarding the procedural method for addressing the overlapping issues shall be filed in Docket Nos. SPU-2021-0003 and RPU-2022-0001 on or before April 14, 2022.

5. Only those persons who filed comments or proposals regarding the procedural method for addressing the overlapping issues shall be allowed to participate in the oral argument and those persons shall attend the oral argument in person or via webinar.

6. Persons filing comments or proposals regarding the procedural method for addressing the overlapping issues shall file a pleading indicating whether they will attend the oral argument in person or by webinar on or before April 18, 2022. The pleadings shall be filed in Docket Nos. SPU-2021-0003 and RPU-2022-0001.

UTILITIES BOARD

Geri Huser Date: 2022.04.04
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Richard Lozier Date: 2022.04.04
14:57:57 -05'00'

ATTEST:

Kerrilyn Russ Digitally signed by Kerrilyn Russ
Date: 2022.04.04 16:32:07
-05'00'

Joshua J Byrnes Date: 2022.04.04
16:04:11 -05'00'

Dated at Des Moines, Iowa, this 4th day of April, 2022.