

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
BEFORE THE IOWA UTILITIES BOARD

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IN RE: :  
: :  
WIND POWER PROJECT STATUS : DOCKET NO. RPU-2009-0003  
UPDATE FOR THE :  
IOWA UTILITIES BOARD :

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AFFIDAVIT IN SUPPORT OF THE  
REQUEST FOR CONFIDENTIAL TREATMENT

STATE OF IOWA            )  
                                  ) ss  
COUNTY OF POLK        )

I, Dean A. Crist, of legal age, being first duly sworn on oath, do hereby depose and state that I am Vice President-Regulation, Regulatory Affairs for MidAmerican Energy Company ("MidAmerican"), and in said position and based upon my professional experience I have personal knowledge of the facts stated herein.

My Affidavit is filed in support of the claim of privilege of MidAmerican for the following Confidential Information pertaining to MidAmerican's Wind VII Iowa Project, and provided as part of MidAmerican's Update on the Wind VII Iowa Project:

**Pricing and payment information (collectively, "pricing information") from MidAmerican's turbine supply agreement for the supply of 593.4 MW of wind turbines, development costs and balance of plant costs, and**

**A transmission study (Exhibit A) related to the Eclipse Site of the Wind VII Iowa Project.**

**A transmission study (Exhibit B) related to the Morning Light Site of the Wind VII Iowa Project.**

**A transmission study (Exhibit D) related to the Vienna Site of the Wind VII Iowa Project.**

I state as follows:

It is my opinion that the Confidential Information (the pricing information) comprises trade secrets, reported to a government agency (the Iowa Utilities Board), which is of significant commercial value to MidAmerican. In addition, the Confidential Information (the pricing information and the transmission studies) constitutes a communication made to a government body that is not required by law, rule, procedure or contract<sup>1</sup> (as noted in Footnote No. 1, the Eclipse site carries with it an updating requirement, however, MidAmerican already had its own, pre-existing and independent obligation to file updates regarding Wind VII sites under the Board's Final Order (2009) and the January 25, 2011 compliance filing order in this Docket No. 2009-0003), and is information that MidAmerican would be discouraged from providing were it available for public inspection. General availability of some of this Confidential Information (the pricing information) to the general public and, specifically, to MidAmerican's potential wind project vendors and MidAmerican's competitors for development of wind projects, would hurt MidAmerican's negotiating and competitive position in future efforts to add reasonably

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<sup>1</sup> The Board's Order Granting Waiver, With Conditions, and Requiring Reports, in Docket No. WRU-2010-0009-3886, requires that: "If the project is sold, Clipper Windpower will be required to file a copy of the asset purchase agreement, which should include provisions requiring the purchaser to comply with this order." See final paragraph, p. 6. The order (ordering clauses 2 and 3) requires the filing of periodic updates/transmission studies. MidAmerican, however, has its own pre-existing and independent obligation to file this update per the Board's Final Order (2009) and the January 25, 2011 compliance filing order in this docket, Docket No. RPU-2009-0003.

priced wind generation to its generation portfolio. Release of this information would serve no public purpose.

Some of the Confidential Information (the transmission studies) is also “critical energy infrastructure information,” as that term is used by the Federal Energy Regulatory Commission, and should not be made public for security reasons, inasmuch as it would provide insight and useful information to those who desire to do harm to the country’s critical energy infrastructure. Release of this information would serve no public purpose, and it is possible that release of same could serve to threaten public safety and convenience.

Again, MidAmerican would be discouraged from providing such information (the pricing information and the transmission studies) were it made available for public inspection.

My primary concern is to protect MidAmerican’s confidential and commercially sensitive information from public disclosure in order that the Company may continue to operate competitively in its pursuit of wind generation projects. I also wish to protect MidAmerican’s confidential and critical energy infrastructure information from public disclosure in order that the Company may continue to protect such information from disclosures that may undermine public safety and convenience. It is not my intent to withhold this information from the Iowa Utilities Board or the Office of Consumer Advocate who require it to carry out their statutory responsibilities.

Given the sensitivity of the Confidential Information described above, MidAmerican would request that review of the Confidential Information be limited to the Board, Board staff, and the Office of Consumer Advocate without protective order or agreement, and that the Confidential Information be withheld from general public inspection to the extent permitted by law, and by the rules of the Board.

Further, the Affiant sayeth not.

/s/ Dean A. Crist  
Dean A. Crist

SUBSCRIBED AND SWORN TO before me this 14<sup>th</sup> day of February, 2012.

/s/ Sherri R. Long  
Notary Public in and for the State of Iowa