

months of planning based on the model and scoping process. SPP's Board of Directors approves projects identified through the ITP process in October or November of each year.

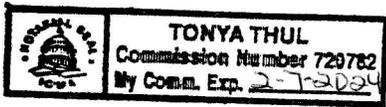
5. Both RTOs are governed by tariffs, which have been approved by the Federal Energy Regulatory Commission ("FERC"). Those tariffs contain detailed descriptions of the procedures to be followed by the RTOs, transmission owners and stakeholders in developing and planning transmission infrastructure. Under those federally approved tariffs, most categories of transmission projects are reserved for incumbent transmission owners; only narrow categories of infrequently-approved regionally cost-shared projects would be subject to competitive solicitation.
6. Under the MISO tariff, only two categories of projects, Multi-Value Projects ("MVPs") and Market Efficiency Projects ("MEPs") are subject to the competitive solicitation processes that LS Power has described in its brief.
7. Under the SPP tariff, certain categories of projects that meet the screening criteria described in Attachment Y ("Attachment Y Competitive Projects") are subject to the competitive solicitation processes that LS Power has described in its brief.
8. The provisions of H.F. 2643 that are at issue in this litigation may eliminate the need for competitive solicitations in MISO for MVPs and MEPs in Iowa and in SPP for Attachment Y Competitive Projects in Iowa because, assuming the incumbent electric transmission owner or owners do not decline the project (which the statute allows), instead of conducting a competitive solicitation, the RTOs would award those projects to the incumbent transmission owners that own the facilities to which the projects connect. However there is no assurance of when or whether such a project will arise.
9. The last MEP or MVP project approved in MISO was approved in December of 2017, as part of MTEP 17. There were no MEPs or MVPs in MTEP 18, MTEP 19, or MTEP 20. There will not be any MEPs or MVPs approved in MISO before December of 2021, at the earliest. As of this date, no such projects have been identified for study in the current MTEP 21 cycle. Therefore, there will be no transmission projects that could be impacted by the subject matter of this litigation approved by MISO before December of 2021, and it is possible it could be later.
10. There will not be any Attachment Y Competitive Projects in Iowa in SPP before the completion of the 2021 ITP process. Therefore, there will be no transmission projects that could be impacted by the subject matter of this litigation approved by SPP before October of 2021, and it is likely that it will be later. This is particularly true because the study design for the 2021 ITP study favors projects with benefits solely within the SPP footprint as opposed to "seams" projects, and the scope of transmission facilities in Iowa within SPP's planning purview is relatively small.

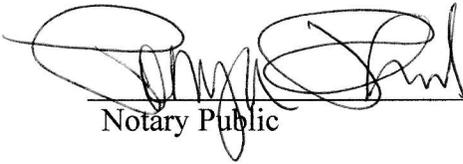
11. To date, between the adoption of FERC Order 1000 and passage of H.F. 2643, there have been no electric transmission line projects competitively bid pursuant to Order 1000 in the state of Iowa.

Further Affiant Sayeth Not.

(name) 

Subscribed and sworn to before me by (Name) this day day of January, 2021.




Notary Public