

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY

LS POWER MIDCONTINENT, LLC and
SOUTHWEST TRANSMISSION, LLC,

Plaintiffs,

v.

THE STATE OF IOWA, IOWA UTILITIES
BOARD, GERI D. HUSER, GLEN
DICKINSON and LESLIE HICKEY,

Defendants.

Case No. CVCV060840

**AFFIDAVIT IN SUPPORT OF
RESISTANCE TO MOTION FOR
LEAVE TO AMEND PETITION**

STATE OF IOWA)
) ss:
COUNTY OF POLK)

I, Neil Hammer, being first duly sworn on oath, do hereby depose and state:

1. I am the General Manager, Transmission Development & Policy for MidAmerican Energy Company (“MidAmerican”), and in said position and based upon my professional experience have personal knowledge of the facts stated herein.

2. My affidavit is filed in support of the Intervenor’s Resistance to the Motion for Leave to Amend the Petition in this proceeding.

3. I have reviewed the information proffered by LS Power Midcontinent, LLC and Southwest Transmission, LLC (Collectively “LSP”) in support of its motion for leave to amend the petition.

4. The materials submitted include a study timeline that was presented at a MISO/SPP meeting on April 9, 2021 meeting, but was previously posted for a December 11, 2020 MISO/SPP meeting (See Intervenor’s Resistance Ex. 1).

5. LSP previously submitted a portion of a December 7, 2020 presentation by MISO

of its Long Range Transmission Plan (“MISO Plan”) where MISO indicates the potential need for transmission investments in Iowa. (See Ex. 27, pp. 11-12 filed 12/10/20).

6. The SPP/MISO study timeline from December 11, 2020 merely indicated that by April 2021 there was a desire for identification of transmission constraints.

7. LSP claims in the proposed amended petition that a MISO/SPP Queue Study was updated in April 2021 which identified four Iowa transmission constraints, including Council Bluffs. (Amd. Pet. ¶34).

8. On September 25, 2020, a MISO/SPP presentation identified a potential upgrade of an Iowa constraint- the same Council Bluffs constraint that LSP claims is new evidence. In fact, a portion of that slide was even submitted by LSP as part of filings on November 13, 2020. (See Ex. 20, p. 4). (See Ex. 20 p. 4; Intervenor’s Resistance Ex. 2; see also Ex 27 pp.11-12).

9. More importantly, the information on LSP’s Exhibit A, LSP’s reference to the MISO Plan in the proposed amended petition, and other references to the MISO Plan (e.g. Ex. 27, pp. 11-12, merely identify *potential* constraints and *potential* solutions.

10. New facilities identified in any presentation by MISO and/or SPP are little more than “lines on a map” to be studied against an initial set of constraints identified by MISO or SPP.

11. A justified need and determination of the benefits of new lines, and who will pay for them, must be studied and approved before there is a specific project.

12. It could very well turn out that none of those “lines on a map” will ever become a project that is bid upon.

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct.



Neil Hammer

Subscribed and sworn to before me this
20th day of April, 2021.



NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA



