

IN THE IOWA SUPREME COURT

LS POWER MIDCONTINENT, LLC,)	CASE NO. 21-0696
and SOUTHWEST TRANSMISSION,)	
LLC,)	(Polk County No. CVCV060840)
)	
Appellants,)	
)	
vs.)	
)	
THE STATE OF IOWA, IOWA)	
UTILITIES BOARD, GERI D.)	
HUSER, GLEN DICKINSON and)	
LESLIE HICKEY,)	
)	
Appellees,)	
)	
MIDAMERICA ENERGY COMPANY)	UNRESISTED APPLICATION
and ITC MIDWEST LLC,)	FOR EXTENSION TO FILE
)	PROOF REPLY BRIEF AND
Intervenors-Appellees.)	APPENDIX

Appellants LS Power Midcontinent, LLC and Southwest Transmission, LLC, by and through the undersigned, hereby move for an extension of time in which to file their proof reply brief and appendix, pursuant to Iowa Rule of Appellate Procedure 6.1003(2). Appellants plead as follows:

1. On October 20, 2021, Appellees/Intervenor-Appellees requested a two-week extension to file their proof briefs and additional designations. On October 22, 2021, their application was granted. Appellees filed their respective proof briefs and a joint designation on November 8, 2021.

2. Appellants' proof reply brief and appendix are currently due December 2, 2021, under Iowa Rule of Appellate Procedure 6.901(1)(c) (twenty-one days after

service appellee's proof brief) and Iowa Rule of Appellate Procedure 6.702(5) (additional three days), which shortly follows the Thanksgiving holiday.

3. On Wednesday, November 3, 2021, the Notice of Intended Action by the Iowa Utilities Board on Iowa Code section 478.16, the subject of this appeal, was published in the administrative bulletin. Comments are due on November 23, 2021, during briefing for Appellants' proof reply brief and appendix. Additionally, during the briefing period, the undersigned has multiple depositions and a dispositive motion due in other matters.

4. Finally, Appellants have another deadline before the Federal Energy Regulatory Commission of November 30, 2021, for reply comments on an advance notice of proposed rulemaking. Comments are expected to be significant and will take up a great amount of time and energy by Appellants during the briefing period.

5. The need for additional time is further underscored by the necessity of responding to three Appellees' briefs in reply.

6. Appellants request a fourteen-day extension, making Appellants' proof reply brief and appendix due on December 16, 2021.

7. Appellant has conferred with counsel for Appellees. Counsel does not object to the proposed extension.

8. This is Appellants' first application for extension in this case.

WHEREFORE, Appellants respectfully request a two-week extension, to and including December 16, 2021, in which to file their proof reply brief and appendix.

Respectfully submitted,

BELIN McCORMICK, P.C.

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ATTORNEYS FOR APPELLANTS

CERTIFICATE OF SERVICE

I hereby certify on the 15th day of November, 2021, I electronically filed the foregoing Unresisted Application for Extension to File Proof Reply Brief and Appendix with the Clerk of the Supreme Court by using the Iowa Electronic Document Management System which will send notice of electronic filing to the following party. Per Rule 16.317(1)(a), this constitutes service of the document for purposes of the Iowa Court Rules.

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