

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>MIDAMERICAN ENERGY COMPANY, Petitioners, v. IOWA UTILITIES BOARD, A DIVISION OF THE DEPARTMENT OF COMMERCE, STATE OF IOWA, Respondent.</p>	<p>Case No. CVCV063014 PETITION TO INTERVENE</p>
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Pursuant to Iowa Rule of Civil Procedure 1.407, the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, petitions to intervene in this matter and in support of its petition states as follows:

1. OCA acts “as attorney for and represent[s] all consumers generally and the public generally in proceedings before federal and state agencies and related judicial review proceedings and appeals, at the discretion of the consumer advocate.” Iowa Code § 475A.2(5) (2021).

2. OCA is required to appear “for all consumers generally and the public generally in all actions instituted in any state or federal court which involve the validity of a rule, regulation or order of the utilities board.” Iowa Code § 475A.2(4).

3. Plaintiff, MidAmerican Energy Company, (MidAmerican) is involved in Docket No. SPU-2021-0003, *MidAmerican Energy Company* case before the Iowa Utilities Board (IUB). OCA has appeared in Docket No. SPU-2021-0003 and is an active participant in the proceeding. (*See* OCA Appearance, attached).

4. MidAmerican filed its Petition for Interlocutory Judicial Review on January 13, 2022.

5. Iowa Rule of Civil Procedure 1.407(1) provides for intervention as a matter of right when: (1) “a statute confers an unconditional right to intervene;” or (2) the applicant has an interest in the subject of the action and the disposition of the action might impair the applicant’s ability to protect that interest, unless the interest is adequately represented by the existing parties.

6. OCA believes that it has an unconditional right to intervene in this proceeding. Pursuant to Iowa Code section 475A.2(4), OCA is to “[a]pppear for all consumers generally and the public generally in all actions instituted in any state or federal court which involve the validity of a rule, regulation, or order of the utilities board.”

7. In addition, the OCA is a party interested in the subject of this action on behalf of consumers and the public generally.

8. The OCA’s interest in representing all consumers and the public generally is not adequately represented by the existing parties. The OCA is the only party that could adequately represent this interest.

9. No party to this action will be prejudiced by the intervention of the OCA.

10. OCA expresses its intent to join with the Iowa Utilities Board in this proceeding, pursuant to Iowa Rule of Civil Procedure 1.1603(1).

WHEREFORE, the OCA respectfully requests that the Court grant this Petition to Intervene, and for such other and further relief as the Court deems just and appropriate.

Respectfully submitted,

/s/ Jennifer C. Easler

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Consumer Advocate

/s/ Jeffrey J. Cook

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OFFICE OF CONSUMER ADVOCATE

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2022, the foregoing document was filed with the Clerk of Court using the EDMS system, which will send electronic notice of the filing to the parties of record.

/s/ Jeffrey J. Cook

Jeffrey J. Cook