

Polk County District Court Case No. CVCV060840 / Appeal Case No. 21-0696

Proceeding: LS Power Midcontinent and Southwest Transmission v. State of Iowa, Iowa Utilities Board, Geri D. Huser et al

Subject: Challenge to adoption of Iowa Code § 478.16, granting right of first refusal to build transmission lines.

Pleadings: Petition for Declaratory and Injunctive Relief filed October 14, 2020. Petition for Declaratory and Injunctive Relief. Defendant Motion to Dismiss. ITC Midwest, LLC Answer. ITC Midwest, LLC Application to Intervene. ITC Midwest, LLC Joinder in Motion to Dismiss. MidAmerican Energy Company Application to Intervene. MidAmerican Energy Company Answer. MidAmerican Energy Company Joinder in Motion to Dismiss. Defendants Resistance to Plaintiff's Motion for Temporary Injunction. Order Setting Hearing. LS Power Motion to Strike. LS Power Resistance to Applications to Intervene. LS Power Motion for Extension to Reply to Motion for Temporary Injunction. Order Granting Temporary Injunction. ITC Reply in Support of Application for Intervention. MidAmerican Energy Company's Reply to Plaintiffs' Resistance to Application to Intervene. MidAmerican Energy Company's Reply to Plaintiffs' Resistance to Joinder in Support of Defendants' Motion to Dismiss. Defendants' Reply in Support of Motion to Dismiss. LS Power Reply and Exhibit. Order Setting Hearing on Motion on all Remaining Motions. Order Setting Hearing on Application for Intervention. Order Granting Intervention. Appearance of Counsel for Intervention Application MidAmerican, MidAmerican's Resistance to LSP Request for Temporary Injunction. Appearance of Counsel for ITC Midwest. ITC Resistance to Plaintiffs Injunction. Affidavit of Jeffrey Eddy. Combined Reply to Intervenors MidAmerican Energy Company and ITC Midwest's Resistances to Plaintiffs' Motion for Temporary Injunction. Exhibits to Combined Reply to Intervenors Resistances to Plaintiffs' Motion for Temporary Injunction. Order Continuing Hearing. ITC/MidAmerican Reply to Resistance to Temporary Injunction. Order of Maintenance of Exhibit. State's Supplemental Brief. ITC/MidAmerican Sur-Reply in Opposition to Temporary Injunction. Plaintiffs' Reply in Support of Motion for Temporary Injunction. Order on Motion to Dismiss and Motion for Temporary Injunction. Plaintiff's Motion to Reconsideration, Modification, or Enlargement. Plaintiff's Brief in Support of Motion for Reconsideration, Modification or Enlargement. Plaintiff's Motion for Leave to Amend Petition. Plaintiff's First Amended Petition for Declaratory and Injunctive Relief. Defendants' Response to Plaintiffs' Motion to Reconsider. Intervenor Affidavit in Support of Resistance to Motion for Leave to Amend Petition. Intervenor MidAmerican Resistance to Motion for Leave to Amend Petition and Joinder in Resistances in Motions to Reconsider. ITC's Resistance to the Plaintiffs' Reconsideration and Leave to Amend. Order Denying Motion to Reconsider and Motion for Leave to Amend. **Dismissed by District Court on 3/25/21.** Appeal filed 5/20/21. Resale Power Group Motion for Leave to File Amicus Curiae Brief. LS Power's Proof Brief. Order Granting Motion to File Amicus Curiae Brief. MISO Customers Motion for Leave to File a Brief of Amicus Curiae. Brief of Amicus Curiae Coalition of MISO Transmission Customers in Support of Plaintiffs. Resale Group Final Brief. Appellees Joint Application for Extension to File Proof Brief and Designation of Appendix. Order Granting Extension. Order Granting Amicus Status to Coalition of MISO Transmission Customers. Proof Brief of ITC. Proof Brief of MidAmerican Energy. Proof Brief of Appellees. Appellees' Joint Designation of Additional Parts for Appendix. Intervenors-Appellees' Proof Brief. Order Enlarging Time. Unresisted Application for Extension to File Proof Reply Brief and Appendix. Plaintiffs'/Appellants' Proof Reply Brief. Appellants' Additional Designation of Appendix. Appendix. Intervenor-Appellee MidAmerican's Final Brief. State's Final Brief of Appellee. Final Reply Brief of Appellant. Final Brief of Appellant. Notice of withdrawal of counsel. Ready Order. Certificate of Transmission of Record. Ready List Date. Transfer to Court of Appeal. Order setting Oral Submission date. Motion for Temporary Injunction. Statement in Support of Emergency Injunction. Appearance. Order adjusting oral argument times. Notice of Additional Authorities. Resistance to Motion for Temporary Injunction. Resistance to Motion for Temporary Injunction. State's Resistance to Motion for Temporary Injunction. Appellants' Reply in Support of Temporary Injunction. **Order Affirming District**

Court Ruling on 7/08/22. Application for Emergency Injunction. Application for Further Review by Iowa Supreme Court. Reply in Support of Emergency Injunction. State's Resistance to Motion for Temporary Injunction. Appellees' Resistance to Further Review. State's Resistance to Further Review.

Current Status: District court decision upheld by Iowa Court of Appeals on July 8, 2022. Application for Further Review and Application for Temporary Injunction pending.

Polk County District Court Case No. CVCV061580 / Appeal Case No. 21-1788

Proceeding: Linda Juckette v. Iowa Utilities Board

Subject: Judicial review of the granting of a franchise in Docket No. E-22417

Pleadings: Petition for Judicial Review of Agency Action filed March 24, 2021. Appearance of Matt Oetker. Juckette Affidavit of Mailing. Appearance of Jon Tack. Juckette's First Amended Petition for Judicial Review of Agency Action. Respondent's Motion to Enlarge Time to Transmit Certified Record. Order Granting Unopposed Motion to Enlarge time to Transmit. Respondent's Answer to First Amended Petition. Return of Service. Order Setting Hearing. Order Establishing Schedule for Conduct of Proceedings Pursuant to IR Civ P1.1603(2). Motion to Intervene and Appear. Order Setting Hearing. Respondents Response to Motion to Intervene. Notice of Certified Copy of Agency Record Filed Non-Electronically. Transmission of Record. MidAmerican Energy Company's Appearance and Motion to Intervene. Iowa Association of Electric Cooperative's Motion to Intervene and Appear. Iowa Association of Electric Cooperative Appearance. Iowa Association of Electric Cooperative Appearance. Notice of Certified Copy of Agency Record Riled Non-Electronically. Iowa Utility Association's Motion to Intervene and Appear. Respondent's Response to Iowa Association of Electric Cooperatives' Motion to Intervene. Iowa Utility Association's Motion to Intervene and Appear. Respondent's Response to Iowa Association of Electric Cooperatives' Motion to Intervene. Plaintiff's Resistance to IAEC and IUA's Motions to Intervene. Petitioner's Response to Office of Consumer Advocate's Motion to Intervene and MidAmerican Energy Company's Motion to Intervene. Respondent's Response to MidAmerican Energy Company and Iowa Utility Association's Motion to Intervene. Iowa Utility Association's Reply to Resistance to Motion to Intervene. IAEC Reply to Plaintiff's Resistance to Motion to Intervene. Court Reporter Memorandum and Certificate. Order Granting Motions to Intervene and Appear by Office of Consumer Advocate and MidAmerican Energy, and Granting Amicus Curiae Status to the Iowa Association of Electric Cooperatives and the Iowa Utility Association. MidAmerican Motion for Stay and Limited Remand. Attachment A. Attachment B. Attachment C. Attachment D. Order Setting Hearing on Motion. Intervenor OCA's Response to Intervenor MidAmerican's Motion for Stay and Limited Remand. MidAmerican's Motion for Modification of the Briefing Schedule. Petitioner's Resistance to MidAmerican's Application for Limited Remand. Respondent's Response to MidAmerican's Motion for Stay and Limited Remand. Petitioner's Response to MidAmerican's Motion for Modification of Briefing Schedule. Petitioner's Opening Brief. Court Reporter Memorandum and Certificate. ITC Midwest Motion for Permission to Submit Brief of Amicus Curiae. Order Setting Hearing. Respondent's Brief in Resistance to Petition for Judicial Review. Iowa Utility Association's Amicus Brief. IUB Motion to File Portions of Agency Record Under Seal. Juckette Motion for Extension of Time to File Reply. ITC Midwest Brief of Amicus Curiae. Intervenor OCA's Brief In Resistance to Petition for Judicial Review. Brief of Intervenor MidAmerican Energy Company. Brief of Amicus Curiae of the IAEC. Intervenor MidAmerican Energy's Response to Petitioner's Motion for Extension of Time to File Reply Brief. IUB Motion to File Portions of Agency Record Under Seal. Order Granting Unopposed Motion for Permission to Submit Brief as Amicus Curiae. Order Granting Respondent's Unopposed Motion to Seal Certain Information at Security Level 5. Order Granting Plaintiff's Motion for Extension of Time to File Reply Brief. Petitioner's Reply Brief. ITC Midwest Appearance. Court Reporter Memorandum and Certificate. Order Denying Remand. Statement of Costs (MidAmerican). MidAmerican's Joinder in Proposed Order Denying Petition for Judicial Review. Order Denying

and Dismissing Petition for Judicial Review 11/7/21. Notice of Appeal. Combined General Docket Report. Docket Entries. Notice of Appeal. Combined Certificate. Amended Combined Certificate. Notice of Briefing Schedule. Court Reporter Certificate. Appellant's Proof Brief. Appellant's Designation of Parts of the Appendix. Motion of the Iowa Farm Bureau to File an Amicus Curiae Brief. Brief of Amicus Curiae. Order Granting Amicus Brief. Final Brief of Amicus Curiae. Appellee MidAmerican's Proof Brief. Appellee IUB's Proof Brief. ITC Midwest Motion to File Brief of Amicus Curiae. ITC Midwest Proof Brief of Amicus Curiae. OCA's Designation of Parts. Appellee MidAmerican's Designation of Parts. OCA's Proof Brief. IUB's Designation of Parts. Appellant's Unresisted Application for Extension of Time. Granting Appellant Motion to Enlarge Time. Motion to File an Amicus Brief (IAEC, IAMU, IUA). Brief of Amicus Curiae. Order Granting Amicus Brief. Final Brief of Amicus Curiae. Appendix. Proof Brief Reply of Appellant. Farm Bureau Final Brief of Amicus Curiae. Appellant's Final Brief. OCA's Final Brief. IUB's Final Brief. Appellant's Final Brief Reply. MidAmerican's Final Brief. Certificate of Transmission of Record. Appellant's Notice of Unavailability. MidAmerican's Notice of Unavailability. ITC's Notice of Unavailability. OCA's Notice of Unavailability. IUB's Notice of Unavailability.

Current Status: Awaiting determination on oral argument.

Polk County District Court Case No. CVCV061992 / Appeal Case No. 22-0385

Proceeding: Environmental Law & Policy Center, Iowa Environmental Council, and Sierra Club v. IUB

Subject: Judicial Review of Order approving MidAmerican EPB in Docket No. EPB-2020-0156.

Pleadings: Petition for Judicial Review filed June 11, 2021. Appearance of Kim Snitker. Appearance of Jon Tack. Appearance of Bret Dublinske. MidAmerican Motion to Intervene. Order Setting Hearing on Motion to Intervene. Respondent's Answer and Affirmative Defenses. Respondent's Response to MidAmerican's Motion to Intervene. Plaintiff's Response to MidAmerican's Motion to Intervene. Respondent's Application to Restrict Access / Motion to File Portions of the Agency Record Under Seal. Notice of Transmission of Agency Record. Agency Record Part 1. Agency Record Part 2. Agency Record Part 3. Order Granting Application to Restrict Access / Motion to File Portions of Agency Record Under Seal. Appearance of Matt Oetker. Order Canceling Hearing. Appearance of Jeffrey J. Cook, Office of Consumer Advocate. OCA Motion to Intervene. Order Establishing Schedule for Conduct of Proceedings. Appearance on Behalf of Intervenor MidAmerican Energy. Order Granting OCA's Motion to Intervene. Petitioner's Brief. Intervenor OCA's Brief in Support of Petition for Judicial Review. Respondent's Brief in Resistance to Petition for Judicial Review. Brief of Intervenor MidAmerican Energy. Media Coordinator's Notice. Petitioners' Reply Brief. OCA's Reply Brief in Support of Petition for Judicial Review. Order Granting Request for Expanded News Media Coverage of Trial or Proceeding. Court Reporter Memorandum and Certificate. Ruling on Petition for Judicial Review 12/7/21. OCA's Motion to Reconsider, Amend, and Enlarge the Court's December 7 Ruling. Order Setting Hearing. MidAmerican Energy's Resistance to Motion to Reconsider, Amend and Enlarge. IUB Resistance to OCA Motion to Reconsider, Amend and Enlarge. Court Reporter Memo and Certificate. Ruling on OCA's Motion to Reconsider, Amend and Enlarge. Statement of Costs. Notice of Appeal (Info). Notice of Appeal (Cert). Combined General Docket Report. Docket Entries. Combined Certificate. Notice of Transcript Redaction. Reporter's Certificate of Filing a Transcript. Notice of Transcript Redaction. Court Reporter Certificate. Notice of Briefing Schedule. Appellant's Proof Brief. OCA's Proof Brief. OCA's Designation of Parts. Appellant's Amended Proof Brief. Attachment A. MidAmerican's Designation of Parts. MidAmerican's Proof Brief. IUB's Designation of Parts. IUB's Proof Brief. Appellant's Proof Brief. Appendix. OCA's Motion to File Reply Brief. Proposed Reply Brief. Order Denying OCA's Reply Brief. Motion for 3-Judge Review. Proposed Amicus Brief.

Current Status: Proof briefs filed. Ruling on filing of Amicus Brief pending.

Polk County District Court Case No. CVCV062900

Proceeding: Summit Carbon Solutions, LLC, v. Iowa Utilities Board

Subject: Request for an injunction barring the disclosure of landowner mailing lists. This is a public records request case.

Pleadings: Motion for Temporary/Permanent Injunction filed 12/14/21. Original Notice. Declaration. Petition for Temporary and Permanent Injunction. IUB Acceptance of Service. Appearance of Jon Tack. Response to Motion for Temporary Injunction. Jeff Cook OCA Appearance. Order Grant in Part and Denying in Part Request for Confidentiality. OCA Petition to Intervene. OCA Attachment B Objection to Request for Confidential Treatment of Mailing List. Appearance of OCA. Appearance of John Long and Anna Ryon on behalf of OCA. Request for Notice. Order Granting Petition for Intervention. Order Setting Hearing. Respondent's Answer to Motion for Permanent Injunction. Sierra Club Motion to Intervene. Sierra Club Response to Petition for Temporary and Permanent Injunctive Relief and Motion for Temporary Injunction. Exhibit 1. Exhibit 2. Exhibit 3. Exhibit 4. Exhibit 5. Order Continuing Hearing. Order for Trial Scheduling Conference. Affidavit of Jessica Mazour. Reply in Support of Motion for Temporary Injunction. Exhibit A. Exhibit B. Exhibit C. Exhibit D. Court Reporter Memo and Certificate. Motion for Continuance. Order for Trial Scheduling Conference. Order Granting Intervention of Sierra Club. Order Granting Motion for Temporary Injunction. Notice of Serving Discovery Request. Trial Scheduling and Discovery Plan. Order Setting Trial and Approving Plan. Appearance of Kim Snitker. Sierra Club's Statement of Uncontested Facts in Support of Their Motion for Summary Judgement. Attachment-Appendix. Brief in Support of Sierra Club's Motion for Summary Judgement. Sierra Club's Motion for Summary Judgement. Notice of Discovery Request. IUB's Answer to MFSJ. IUB's Brief In Answer to MFSJ. IUB's Affidavit in Regard to Contested Facts. OCA's Response to MFSJ. Summit's Motion to Continue Resistance to MFSJ. Attachment A. Attachment B. Sierra Club's Reply to Responses to MFSJ. Order Setting Hearing. Court Reporter Memo. Order Setting Hearing. Amendment to Trial Schedule. Order for Continuance. Summit Carbon's Appendix in Support of Resistance to Sierra Club. Summit Statement of Disputed Facts. Summit Brief in Resistance to Sierra Club's Motion. Response to Sierra Club's Statement. Supplemental Reply to Summit's Resistance. OCA's Reply to Resistance to MFSJ. Court Reporter Memo. Order Denying Motion for Summary Judgement. Pre-Trial Disclosures. Motion to Admit Summary Judgment Record. Sierra Club's Pretrial Disclosure. OCA's Resistance to Motion to Admit MFSJ Record. Sierra Club's Resistance to Motion to Strike. Attachment – Email to Jon. Summit Carbon's Reply in Support of Motion to Admit and Joinder in OCA's Motion to Strike. Return of Service on Subpoena. Summit Carbon's Designation of Exhibits. Summit's Exhibit 1. IUB' Notice of Unavailability. Court Reporter Memo. Order Regarding Pretrial Motions. Summit's Proposed Exhibit 1. Order for Continuance. Order for Maintenance of Exhibit 1. Court Reporter Memo. Summit's Brief. Sierra Club's Brief. OCA's Brief.

Current Status: Trial was held on July 7 and August 3, 2022. Briefs filed. Decision pending.

Polk County District Court Case No. CVCV062999

Proceeding: Iowa Association of Municipal Utilities v. Iowa Utilities Board

Subject: Judicial Review of Chapter 27 rules adopted in Docket No. RMU-2020-0027.

Pleadings: Petition for Judicial Review filed January 7, 2022. Civil Original Notice. Affidavit of Service – Jason Craig. OCA Petition to Intervene. Appearance of Craig Graziano for OCA. Respondent's Answer & Affirmative Defenses. Appearance of Jon Tack and Matthew Oetker.

Order Granting OCA as Intervener. Order Setting Hearing. Appearance of Kerri Russ. Certification of Agency Record. Transmission of Record. Petitioner's Unresisted Motion to Continue Status Conference. IAEC Appearance and Application to Intervene. Order Continuing Hearing. Intervenor's Motion for Continuance. Order for Continuance. Order Granting Intervention to Iowa Association of Electric Cooperative. Order Establishing Schedule. IUB's Motion for Leave to File Amended Answer. Amended Answer. IAMU Brief. Statement in Lieu of Brief on Behalf of IAEC. OCA's Brief. IUB's Brief. IUB's Statement of Compliance.

Current Status: Hearing is scheduled on 9/23/22. Respondent's brief due 8/1/22. Petitioner's reply brief due 9/1/22. Intervenor's brief due 8/1/22.

Polk County District Court Case No. CVCV062986

Proceeding: Tom Robinson, Laura Robinson, Martin Robinson and Paula Robinson v. Iowa Utilities Board.

Subject: Judicial Review of Order Granting Application for Certificate issued in Docket No. GCU-2021-0001.

Pleadings: Petition for Judicial Review of Agency Action filed January 4, 2022. Civil Original Notice. Civil Original Notice. Affidavit Regarding Service. Appearance of Jennifer Johnson for OCA. OCA Motion to Intervene. Duane Arnold Solar Motion to Intervene. Attachment Petition to Intervene. OCA Order Granting Motion. Duane Arnold Solar Order Granting Motion. Appearance of Jon Tack, Matt Oetker and Hunter Fors. IUB Pre-Answer Motion to Dismiss. Attachment A. Petitioners' Resistance to Pre-Answer Motion to Dismiss. David Lynch Appearance and Motion to Intervene. Respondent's Reply to Petitioners' Resistance to Motion to Dismiss and Motion to Enlarge. Order Granting Motion to Enlarge Time to Transmit Certified Record. Order Setting Hearing on Motion. Order Granting Coggon Solar LLC's Motion to Intervene. Order for Continuance. Order Continuing Hearing. Court Reporter Memo and Certificate. Order Regarding Dismissal. Statement of Costs.

Current Status: Judicial Review dismissed on July 7, 2022.

Polk County District Court Case No. CVCV063014

Proceeding: MidAmerican Energy Company v. Iowa Utilities Board

Subject: Judicial review of order regarding issue of privilege in Docket No. SPU-2021-0003.

Pleadings: Civil Original Notice. Petition for Judicial Review. Exhibit 1. Exhibit 2. Exhibit 3. Acceptance of Service. Appearance of Jon Tack and Kim Snitker. Respondent's Pre-Answer to Motion to Recast Petition and Motion to Enlarge Time. Appearance of Jeff Cook. OCA Petition to Intervene. Attachment. Order Setting Hearing on Motion. Order Granting OCA's Petition to Intervene. IUB's Response to OCA's Motion to Intervene. MidAmerican's Resistance to the Motion to Recast Petition. Order Continuing Hearing. Environmental Parties Motion to Intervene. Granting Environmental Parties Intervention. Denial of IUB's Request to Recast Petition. IUB's Answer. Order Setting Hearing. Unopposed Motion to Continue Schedule. Order Amending Procedural Schedule. Application to Restrict Access to Records. Certified Agency Record Part 1. Certified Agency Record Part 2. Certified Agency Record Part 3. Certified Agency Record Part 4. Certified Agency Record Part 5. Notice of Transmission of Agency Record. Order Granting Restriction to Access of Records. MidAmerican's Initial Brief. OCA's Brief. IUB's Brief. Environmental Intervenor's Reply Brief. MidAmerican's Reply Brief. Attachment. Privilege Log. Supplemental Information. Court Reporter Memo.

Current Status: Hearing is scheduled for July 22, 2022.

Polk County District Court Case No. CVCV063447

Proceeding: MidAmerican Energy Company v. Iowa Utilities Board

Subject: Judicial Review of Final Order in FCU-2020-0003, Beane complaint.

Pleadings: Civil Original Notice. Petition. Attachment A. Attachment B. Attachment C. Attachment D. Other Affidavit. Acceptance of Service. OCA's Petition for Intervention. Appearance of Jon Tack and Kim Snitker. Application to Restrict Access to Records. Certified Agency Record Part 1. Agency Record Part 2. Respondent's Notice of Transmission of Agency Record. Order Granting OCA Intervention. Order to Restrict Access to Records. IUB's Answer. Appearance for Curt and Andrea Beane. Motion to Intervene by Curt and Andrea Beane. Curt and Andrea's Answer. Order Setting Hearing. OCA Jeff Cook Appearance. MidAmerican's Response to Intervention. IUB's Response to Intervention. Order Granting Intervention to Curt and Andrea Beane. Order Establishing Schedule. Iowa Utility Association's Limited Motion to Intervene and File Amicus Brief. IUB's Response to IUA's Motion. MidAmerican's Brief. IUA's Motion and Amicus Brief. Attachment. Beane's Resistance to IUA's Intervention. Court Denying IUA's Intervention and Amicus Brief. Application for Stay filed 8/9/22.

Current Status: Hearing is scheduled on September 23, 2022. Petitioner's brief filed. Respondent's brief is due August 31st. Petitioner's reply brief is due September 15, 2022.

Polk County District Court Case No. CVCV063439 and CVCV064019

Proceeding: ITC Midwest v. Iowa Utilities Board

Subject: Judicial reviews of Order Requiring Amendment of Electric Franchise issued in Docket NO. E-21340.

Pleadings: Civil Original Notice filed 4/7/22. Petition. Attachment A. Attachment B. Attachment C. Affidavit. Acceptance of Service. OCA Petition for Intervention. Notice of Recusal of Judge Gronewald. Appearance of Jon Tack. Certified Agency Record. Notice of Transmission of Agency Record. Respondent's Unresisted Motion for Enlargement of Time. Appearance and Application for Leave of Court to Intervene. Transfer of Record to Judge Gogerty. Order Granting OCA's Intervention. Order Granting Respondent's Motion for Enlargement of Time. Order Establishing Schedule. MidAm Petition to Intervene. MidAm Appearance. IUB's Motion for Remand or Dismissal. Order Setting Hearing. Unopposed Motion to Amend Procedural Schedule. Order Granting G&T Intervention. Order Amending Deadlines and Suspending Schedule. Order Continuing Hearing. ITC's Brief. MidAmerican's Intervention is Granted. ITC's Motion to Consolidate. Court Reporter Memo. Court Unopposed Order to Consolidate.

Current Status: Hearing on Motion for Remand or Dismiss held July 29, 2022. Consolidation of Dockets Granted 8/2/22. Response to Second Petition for Judicial Review due on August 15, 2022.

Polk County District Court Case No. CVCV06xxxx

Proceeding: MidAmerican Energy, Black Hills, Iowa Association of Electric Cooperatives, IPL, and IAMU v. Iowa Utilities Board

Subject: Judicial review of 2022 Iowa Energy Center invoices.

Pleadings:

Current Status: Answer due August 29, 2022.