

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF WYOMING

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IN THE MATTER OF THE JOINT)
APPLICATION OF MIDAMERICAN)
ENERGY HOLDINGS COMPANY)
AND PACIFICORP FOR APPROVAL) Docket No. 20000-226-EA-05
OF A REORGANIZATION OF) (Record No. 10015)
PACIFICORP AS A WHOLLY-OWNED)
SUBSIDIARY OF MIDAMERICAN)
ENERGY HOLDINGS COMPANY)

**WYOMING INDUSTRIAL ENERGY CONSUMERS' FIRST DATA
REQUESTS TO PACIFICORP AND MIDAMERICAN ENERGY HOLDINGS
COMPANY**

The intervention group collectively referred to as Wyoming Industrial Energy Consumers ("WIEC"), an unincorporated association comprised of industrial energy consumers, individually and collectively, by and through their undersigned counsel, pursuant to applicable rules of procedure, submits the attached Data Requests to the joint applicants, PacifiCorp and MidAmerican Energy Holdings Company, in the above-captioned proceeding. The following response date, definitions and instructions apply to the attached Data Requests:

RESPONSE DATE

Please respond to these Data Requests within ten (10) business days, i.e., by **October 27, 2005**.

DEFINITIONS

1. "Applicants" or "you" shall mean PacifiCorp and Mid American Energy Holdings Company, or either PacifiCorp or Mid American Energy Holdings Company as applicable; any merged or consolidated predecessor or predecessors in interest; parent(s), subsidiaries and affiliates, past and present; and the employees, officers, directors, agents, consultants, attorneys and all persons acting under contractual arrangement with or acting or purporting to act on behalf of Applicants. If the data request only applies to one of the Applicants, please respond on behalf of that Applicant.

2. "Document" and "documentation" should be interpreted as broadly as possible to include, but not be limited to, the original or any copy, regardless of origin or location, of any book, pamphlet, periodical publication, letter, scrapbook, diary, calendar, canceled check, photograph, form, memorandum, schedule, tax return, telegram, telex, report, record, order or notice of governmental action of any kind, study, minutes, logs,

graph, index, tape, disc, internal operating manual, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, graphic or retrievable matter or data of any kind, however produced or reproduced, to which you have or have had access. This definition is intended to include, but not be limited to, all documents which have been created and/or which reside in any type of electronic format.

Any document that is not exactly identical to another document for any reason, including, but not limited to, marginal notations or deletions, should be considered to be a separate document.

As to any document related to the matters addressed herein that is not currently in your possession but that you know or believe such a document exists, you are requested to identify and indicate to the best of your ability its present or last known location or custodian.

3. "Person or Entity" should be interpreted to denote, unless otherwise specified, any natural person, firm, corporation, association, group, individual or organization of an type whatsoever.
4. Any request to "identify" or "provide" should be interpreted to mean:
 - a. With respect to a natural person, that person's full name, title, job description, and business and home address. Where the identification pertains to a past period, as to each person identified who is still in your employ, or the employment of the group with which such person is identified in response to any requests, provided, in addition, that person's title and job description as of the time of such past period. Where the person is no longer in your employ or the employment of the group with which such person is identified in response to any request, provide that person's affiliate, position, home and business address, if known, or if not known, such person's last known affiliation, position, home and business address, or portions thereof as may be known.
 - b. With respect to an entity other than a natural person, that entity's name, business, type of entity, present status and present or last known address.
 - c. With respect to a document, that document's title, date, author (and, if different, the signer), addresses, recipients, or other persons who assisted in the preparation, subject matter or general nature, and any amendments thereto, present location and custodian, whether or not such document is in the respondent's possession, custody or control and whether or not the document is claimed to be privileged. The final version and each draft of each document should be identified and produced separately. Each original and each non-identical copy (bearing marks or notations not found on the original) of each final version and draft of each document should be identified and produced separately.

d. With respect to a physical facility, the location of the facility, the intended purpose of the facility, the actual use of such facility, the operating dates of the facility, the installation date of the facility, the date utilization of the facility terminated if applicable, and whether the facility is subject to the jurisdiction of the Federal Energy Regulatory Commission, the Wyoming Public Service Commission, or any other regulatory body.

5. "Communication" should be interpreted to include, but not be limited to, all forms of communication, whether written, printed, oral, pictorial, electronic or otherwise, including testimony or sworn statement, or any means or type whatsoever.

6. "Relating To" or "Related To" means pertaining to, presenting, discussing, commenting on, analyzing, or mentioning in any way.

GENERAL INSTRUCTIONS

7. Where a request can be answered in whole or in part by reference to the response to a preceding or subsequent request, it is sufficient to so indicate by specifying the response to the preceding or subsequent request by number and specifying whether it is claimed that the response to the preceding or subsequent request is a full or partial response. If the latter, the response to the balance of the request shall be completed.

8. If various individuals are the authors of different responses to the Data Requests, please indicate the name of the author and his/her position within Applicants, or if he/she is an expert or a consultant, please provide a current curriculum vitae for each such expert or consultant.

9. As to any requests consisting of a number of separate subdivisions, or related parts or portions, a complete response is required to each part or portion with the same effect as if it were propounded as a separate request. Should objection to a request be interposed it should clearly indicate to which part or portion of the request it is directed.

10. For each document identified in a response which is computer generated, state separately (a) what types of data files or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (punch cards, tapes, etc.), (c) a description of the recordation system employed (including program descriptions, flow charts, etc.), and (d) the identify of the person or persons, during the designed period, who was in charge of the collection of input materials, the processing of input materials, the data bases utilized, and/or the programming to obtain such output.

11. Responses to requests referring to documents shall include all documents relating to the time period specified in each request or in these instructions, whether prepared before, during or after that period.

12. Individual response of more than one page should be stapled or bound, and each page consecutively numbered.

13. If any document covered by this request is withheld for whatever reason, please furnish a list identifying all withheld documents in the following manner: the reasons for withholding;

- a. date of the document;
- b. name of each author or preparer;
- c. name of each person who received the document; and
- d. statement of facts constituting the basis for withholding the document.

14. If you assert that documents, records, or information responsive to any requests have been destroyed and are thus not available, state when and explain why any such document, record or information was destroyed, identify the person directing the destruction and identify all documents relevant to such destruction or explanation. If a claim is made that the destruction occurred pursuant to your document destruction program, identify and produce a copy of the guideline, policy, or company manual describing such document destruction program, and any correspondence or communication relating to the destruction of responsive documents, records or information.

15. If any of these requests are not answered on the ground that the material or information requested is confidential, privileged or otherwise immune to discovery, set forth in detail the factual and legal basis which support your decision to withhold production. Please also state whether a protective order or protective conditions regarding disclosure would satisfy or resolve your concern.

16. Each document or written response shall designate the respective question (and subpart of the question) under which it is being produced.

17. Each document produced shall be an authentic original document or a true duplicate of an authentic original document.

18. Each of these requests shall be considered to be continuing and to require supplemental or amended answers as readily as information and knowledge is acquired.

19. If, in answering a request, you encounter any ambiguity in interpreting either the request or a definition or instruction applicable thereto, please secure a clarification by contacting undersigned counsel as soon as the ambiguity is known.

20. The term “and” and “or” should be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of each request any information or document which might otherwise be considered to be beyond its scope.

21. The singular form of a word should be interpreted as plural, and the plural form of a word should be interpreted as singular, whenever appropriate in order to bring within the scope of each request any information or document which might otherwise be considered to be beyond its scope.

FIRST DATA REQUEST

1. Please provide the responses to the following discovery requests served on the Applicants in the comparable regulatory proceeding in the states of Idaho and Oregon:

Oregon PUC Staff Data Request: No(s). 21-32
Oregon CUB Data Request: No. 53, No. 70, No. 74
ICNU Data Request: No. 3.5 - 3.6, No. 4.19, No. 4.21, No. 4.28, No. 4.34, No. 4.42
Oregon PUC Staff Data Request: No. 52, No. 97-98, No. 104
Oregon CUB Data Request: No. 72-73
ICNU Data Request: No. 4.17, No. 4.27
Idaho Irrigation Pumper's Association: 1st set of data requests/ No. 8
Oregon CUB Data Request: No. 23
ICNU Data Request: No. 1.24
Idaho Irrigation Pumper's Association: 1st set of data requests/ No. 12
Oregon PUC Staff Data Request: No. 2, No. 84
ICNU Data Request: No. 1.4(a)-(b),
Idaho Irrigation Pumper's Association: 1st set of data requests/ No. 14 (b), (c), (d)
Oregon PUC Staff Data Request: No. 7, No. 9, No. 83-85
Oregon CUB Data Request: No. 6, No. 18, No. 21
ICNU Data Request: No. 1.5, No. 1.25, No. 4.44
Oregon PUC Staff Data Request: No. 8, No. 12, No. 116
ICNU Data Request: No. 4.10
Oregon PUC Staff Data Request: No. 14
Oregon CUB Data Request: No. 20, No(s). 28-30, No. 56, No. 72, No. 79
ICNU Data Request: No. 1.10, No. 4.3-4.5, No. 4.40
Oregon PUC Staff Data Request: No. 15
Oregon PUC Staff Data Request: No. 42, No. 43, No. 57, No. 70, No. 73, No. 75,
Oregon CUB Data Request: No. 34, No. 46, No. 49-50
ICNU Data Request: No. 1.11, No. 1.26
Oregon PUC Staff Data Request: No. 48, No. 50, No. 120
Oregon PUC Staff Data Request: No. 53, No. 65, No. 80, No. 60, No. 62, No. 63, No. 82
Oregon PUC Staff Data Request: No. 39

Oregon CUB Data Request: No. 33
ICNU Data Request: No. 4.7
ICNU Data Request: No. 4.6, No. 4.30
ICNU Data Request: No. 4.8
ICNU Data Request: No. 4.26

2. Please provide the most current and updated Business Plan for PacifiCorp, MidAmerican Energy Company (MEC), and MidAmerican Energy Holdings Company (MEHC). In addition, please identify and explain in detail any modifications or alterations to the PacifiCorp Business Plan that MEC and/or MEHC anticipate implementing if the subject merge and reorganization is consummated.
3. With respect to Mr. Abel's testimony (17:25-42), please provide copies of all investment analyses, risk analyses, comparative analyses of alternative options, and any additional analyses undertaken that support the \$812 million investment in emission reductions from coal-fired generating plants.
4. Please provide a detailed listing of all current MEC purchase power agreements. What percentage of MEC's power supply portfolio is represented by power purchase agreements?
5. Please provide, by year, a five year history of what percentage of MEC's power supply portfolio is represented by power purchase agreements.
6. Please provide a copy of the Asset Risk Program referenced in Mr. Abel's testimony (15:17).
7. Please provide all special contracts for the sale of power currently conducted by MEC.
8. Please provide all QF contracts currently conducted by MEC.
9. Section 4.8 of the Stock Purchase Agreement (Appendix 2 to the Application) contains provisions regarding a Joint Executive Committee (JEC), including its establishment, membership, objective, meetings and voting.
 - (a) Identify the date the JEC was established, its members and its co-chairs;
 - (b) Identify the dates of all meetings held by the JEC and whether each meeting was in person or by telephone, video conference or other similar means;
 - (c) Identify all attendees for each meeting identified above in (b);
 - (d) Provide the agenda and minutes for each meeting identified above in (b);
 - (e) Provide all documents identified in any agenda or minutes identified above in

(b);

(f) Provide the notes taken by any member of the JEC during each meeting identified above in (b);

(g) Provide all documents provided to the JEC or its individual members;

(h) Provide all documents produced by the JEC or its individual members;

(i) Provide all documents relating to the JEC's "objective" as that term is described in the fourth sentence of Section 4.8.

10. Section 5.10 of the Stock Purchase Agreement contains provisions regarding Rate Matters, including obligations on Company and its subsidiaries: to obtain Buyer's approval prior to initiating any general rate case; to consult with Buyer prior to making any material changes in the Company's or its subsidiaries' rates, charges, standards of service or accounting; and to further consult with Buyer prior to certain other filings.

(a) Identify the individuals within the Company and its subsidiaries having the responsibility to carry out each of these obligations;

(b) Identify each instance in which the Company and its subsidiaries sought Buyer's approval prior to the filing of a general rate case;

(c) With respect to each instance identified above in (b), identify all individuals involved in such communications and discussions, set forth the dates of all such communications and discussions and provide all documents provided or made available to Buyer as part of such communications and discussions;

(d) Identify each instance in which the Company and its subsidiaries consulted with Buyer prior to making any material changes in rates, charges, standards of service or accounting;

(e) With respect to each instance identified above in (d), identify all individuals involved in such communications and discussions, set forth the dates of all such communications and discussions and provide all documents provided or made available to Buyer as part of such communications and discussions;

(f) Identify each instance in which the Company and its subsidiaries consulted with Buyer prior to making any other filing;

(g) With respect to each instance identified above in (f), identify all individuals involved in such communications and discussions, set forth the dates of all such communications and discussions and provide all documents provided or made available to Buyer as part of such communications and discussions.

11. Please identify and describe in detail the terms and conditions of any agreements reached among PacifiCorp, MCE and/or MEHC and any party to the comparable regulatory proceedings in California, Idaho, Oregon, Utah or Washington and pursuant to which PacifiCorp, MCE and/or MEHC have agreed to any additional commitments other than those that are identified in the Applicants' application and prefiled testimony filed in the above-captioned docket. To the extent any such agreements have been reduced to (or summarized in) writing, please also provide a copy of any such written agreement/summary.

12. Applicants' application and certain prefiled testimony submitted in support thereof discuss commitments undertaken by PacifiCorp and/or ScottishPower as part of

the Scottish Power merger with PacifiCorp. Please explain whether PacifiCorp and/or ScottishPower undertook any commitments in conjunction with the PacifiCorp/ScottishPower merger that PacifiCorp, MCE and/or MEHC are not agreeing to adopt and continue as part of the above-captioned proceeding. If any such commitments exist, please identify the commitment and explain in detail why it will not be adopted and continued as part of this proceeding.

13. For each response to the aforementioned Data Requests, please identify whether such response is being provided on behalf of PacifiCorp, MEC and/or MEHC. In addition, please identify the person sponsoring such response and if not currently one of Applicants' witnesses in the above-captioned proceeding, to which of such current witnesses questions should be directed regarding such response.

DATED this 13th day of October, 2005.

Respectfully submitted,

HOLLAND & HART LLP

By: _____

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ATTORNEYS FOR WIEC

CERTIFICATE OF SERVICE

I hereby certify that, on this 13th day of October, 2005, a true and correct copy of the foregoing **WIEC'S FIRST DATA REQUESTS TO PACIFICORP AND MIDAMERICAN ENERGY HOLDINGS COMPANY** was sent by UPS for overnight delivery, postage prepaid, and also sent electronically as noted below, addressed to the following:

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