

**STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD**

IN RE:

SUMMIT CARBON SOLUTIONS, LLC

DOCKET NO. HLP-2021-0001

**OBJECTION TO REQUEST FOR CONFIDENTIAL
TREATMENT OF MAILING LIST**

Food & Water Watch (FWW), a national 501(c)(3) nonprofit organization with over 22,000 members and supporters in Iowa, files this objection to the Request for Confidential Treatment (Request) filed by Summit Carbon Solutions, LLC (Summit) on August 13, 2021. FWW has invested in Iowa-based staff as part of its multi-year campaign in support of a legislative moratorium on factory farms in Iowa, and is building a robust network of volunteer leaders in support of our work in the state. As a nonprofit that employs grassroots organizing to protect community health, FWW requests that the Board require the mailing lists to be filed publicly or take other steps to ensure affected landowners have access to the lists.

On August 13, 2021, Summit confidentially filed mailing lists for Story and Hardin counties. Summit stated that it would file mailing lists for other affected counties in the course of its public information meetings schedule. Summit requested confidential treatment for the Story and Hardin County lists, and for all subsequent mailing lists. Request, p. 1. Summit claimed the mailing lists qualify for confidential treatment pursuant to Iowa Code § 22.7(6) regarding “reports to governmental agencies which, if released, would give advantage to competitors and serve no public purpose.” Request, pp. 1-2. This is a preposterous claim with no bearing on marketplace competition as there is absolutely no foreseeable competition to Summit’s proposed project. It is apparent that this Request is instead a nefarious attempt at quashing public dissent.

Moreover, Summit admits that the mailing list it compiled is derived from public land records – readily accessible by any potential competitor since Summit has already filed maps of the proposed route. While Summit may have expended substantial effort in compiling this mailing list, such a compilation was completed because Summit is legally required to notify landowners of the proposed project – not to provide the agency with any sort of competitive advantage. Furthermore, Summit has been sending landowners promotional mailings to using the list of landowner names in an effort to pressure them to sign voluntary easements. This goes beyond using the list to notify landowners.

FWW respects concerns for privacy and safety of landowners impacted by the proposed project, however, many landowners have spoken at informational meetings and landowners have submitted written comments to the docket giving their names and addresses. There are methods the Board could take to protect the privacy of vulnerable landowners while still providing meaningful access to the list by impacted parties. As the Office of the Consumer Advocate noted, the Board could screen the list before disclosure to remove any contact information related to persons included in the Safe at Home program. Additionally, if the Board does not believe that this is sufficient, the Board could take other steps, such as giving notice and an opportunity for any landowner on the list who does not wish to be contacted to request that his or her contact information be redacted from any publicly accessible version of the list.

This Request by Summit appears to be little more than an attempt by a for-profit entity to prevent organized public opposition to its proposed project. FWW strongly opposes Summit's claim that no public purpose would be served by public disclosure of the mailing lists as knowing who else is impacted by a project is vital for organizing impacted individuals so that

they may collectively advocate for the interests of their communities and collaborate in joint defense.

It has become clear from the comments made at the informational meetings, in written comments to the Board, and from FWW conversations with landowners that none of the impacted communities want the pipeline on their property. The only way their voices can be heard is for them to join together. They cannot do that if they don't know who all of the landowners are.

For the foregoing reasons, FWW respectfully requests that the Board issue an order immediately requiring Summit to make public the names and contact information for all of the affected landowners.

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