



3. On May 18, 2006, PacifiCorp and Monsanto entered into a new Electric Service Agreement to become effective January 1, 2007. On June 9, 2006, PacifiCorp, Monsanto, the Idaho Public Utilities Commission Staff, the Idaho Irrigation Pumpers Association and NuWest Industries entered into a Protective Agreement to protect the Confidential Information.

4. On June 19, 2006, PacifiCorp filed an Application of PacifiCorp for Approval of an Electric Service Agreement with Monsanto Company (“Application”) with the Idaho Public Utilities Commission (“Commission”). The Electric Service Agreement between Monsanto and PacifiCorp was filed with the Application as “Confidential Information” on yellow-colored paper pursuant to the Protective Agreement. This Attorney’s Certificate is submitted pursuant to paragraph 1(a) of the Protective Agreement to set forth Monsanto’s claim of confidentiality with respect to material that is protected by law from public disclosure.

5. Monsanto claims as Confidential Information the following:

(A) The Interruptible Credit in dollars per kW of interruptible power set forth in paragraph 4.1.2 of the Electric Service Agreement;

(B) The furnace sizes available for operating reserve, system integrity and economic curtailment interruptions set forth in Exhibits A and B attached to the Electric Service Agreement.

6. Phosphorus is a commodity that is produced and sold on a global market that is extremely competitive. Chinese production has certain production cost advantages and poses a substantial threat to the viability of the Soda Springs Plant. The disclosure of Confidential Information of Monsanto, particularly phosphorus production costs and quantities to the Chinese and other competitors, would severely damage Monsanto’s competitive positions.

7. Electricity is the largest single cost of producing phosphorus at Monsanto's Soda Springs Plant. The quantity produced and cost per pound directly relate to the cost and amount of electricity utilized. Accordingly, within the meaning of I.C. 48-801(5), it is my opinion that the net cost of electricity after the interruptible credit and furnace size in MW available for interruption are trade secret information, methods and processes that derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

8. Except for the interruptible credit and furnace size claimed as Confidential Information as discussed above, the remaining terms of the Electric Service Agreement are not considered to be trade secrets or Confidential Information. Accordingly, a copy of the Electric Service Agreement will be made available and filed with only the interruptible credit and furnace size redacted as Confidential Information.

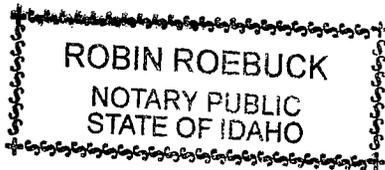
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 26<sup>th</sup> day of June, 2006.

RACINE, OLSON, NYE, BUDGE &  
BAILEY, CHARTERED

By Randall C. Budge  
RANDALL C. BUDGE

SUBSCRIBED AND SWORN TO before me this 26<sup>th</sup> day of June, 2006.



*Robin Roebuck*

NOTARY PUBLIC FOR IDAHO.

Residing at Pocatello.

My Commission Expires 8/18/2006.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26<sup>th</sup> day of June, 2006, I mailed by U.S. Mail, postage prepaid, a true and correct copy of the foregoing document to each of the following:

Jean M. Jewell, Secretary (original and 9 copies) (Overnight Mail)  
Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, Idaho 83720-0074

Mark C. Moench  
Senior VP and General Counsel  
PacifiCorp/dba Rocky Mountain Power  
201 S. Main Street, Suite 2300  
Salt Lake City, Utah 84111

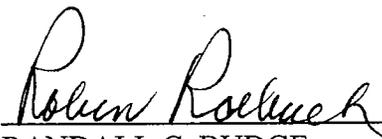
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for   
RANDALL C. BUDGE