

ATTACHMENT 3

STATE OF INDIANA)
)
COUNTY OF PORTER) SS:

AFFIDAVIT

The undersigned, Robert L. Lively, being duly sworn upon his oath, deposes and says:

1. That he is General Manager - Staff of Midwest Steel Division, National Steel Corporation and as such is authorized to make this affidavit for and on behalf of said corporation.
2. That National Steel is a Delaware corporation with its principal offices in Pittsburgh, Pennsylvania and is engaged in the business of producing steel and related products.
3. That it owns and operates a finishing mill located in Portage, Indiana (known as Midwest Steel) which represents approximately 20 percent of its total steel producing capability.
4. That in the process of producing steel at Portage, Indiana, purchases large quantities of electrical energy from Northern Indiana Public Service Company (NIPSCO).
5. From time to time Midwest Steel furnishes information to NIPSCO regarding the future production plans and plant additions for Midwest Steel in order to aid and assist NIPSCO in determining future electrical demands on the NIPSCO system.
6. That the information given to NIPSCO is not announced to the public, is considered confidential by Midwest Steel and is given to NIPSCO in confidence.

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7. That to our knowledge NIPSCO has always honored the confidential treatment of such information.

8. That disclosure to our competitors in the steel industry of the information furnished to NIPSCO could place Midwest Steel at an economic disadvantage among its competitors and for that reason Midwest Steel protects such information from public disclosure and has provided such information to NIPSCO with the understanding that NIPSCO will prevent its public disclosure. Statistical information which might provide competitors some insight into efficiencies of operation, insight into factors affecting conversion cost and profitability have traditionally been treated as confidential.

And further the Affiant sayeth not.

By: Robert L. Lively

STATE OF INDIANA)
) SS:
COUNTY OF PORTER)

Before me, a Notary Public, in and for said County and State, this 26th day of May 1981, personally appeared Robert L. Lively, General Manager - Staff, of Midwest Steel and acknowledged the execution of the foregoing instrument as the free and voluntary act of said Midwest Steel and swears that the statements contained in his Affidavit are true and correct.

Given under my hand and notarial seal this 26th day of May, 1981.

Mary Jo Putney
NOTARY PUBLIC
A Resident of Porter County,
Indiana.

My Commission expires:
October 16, 1983