

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. RPU-01-3
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**ORDER DOCKETING CASE, ESTABLISHING PROCEDURAL SCHEDULE,
REQUIRING ADDITIONAL INFORMATION, AND GRANTING INTERVENTIONS
AND REQUEST FOR PERMISSION TO APPEAR**

(Issued April 13, 2001)

On March 14, 2001, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a petition, pursuant to Iowa Code § 476.3(2) (2001), with the Utilities Board (Board) alleging that MidAmerican Energy Company's (MidAmerican) Iowa jurisdictional electric rates are excessive in the annual amount of \$77,002,803. In order that the Board may fully consider the petition, it will be docketed as a formal proceeding, identified as Docket No. RPU-01-3, and a procedural schedule will be established.

Consumer Advocate witnesses Condon and Turner sponsor a \$4,946,980 rate base adjustment for new depreciation rates. Exhibit BWT-1, Schedule E is listed as the reference. However, Schedule E appears to calculate only the corresponding income statement adjustment. Consumer Advocate will be required to provide calculations for the rate base adjustment.

Interstate Power Company and IES Utilities Inc. filed a joint petition to intervene on March 27, 2001. The utilities allege that any Board decision in this

docket may have persuasive effect on their future regulatory filings, thereby directly or indirectly affecting their interests. Ag Processing Inc. (Ag Processing), a large customer of MidAmerican's, filed a petition to intervene on April 6, 2001, stating that any rate changes will have a direct impact on its business. Each petition alleged sufficient interests that are currently not represented in the proceedings. The Board will grant the petitions to intervene.

Accompanying the petition filed by Ag Processing was a request for permission to appear filed by Patrick J. Joyce, an attorney licensed in Nebraska but not in Iowa. Mr. Joyce filed the appearance of Iowa counsel for purposes of service of process pursuant to Iowa Supreme Court rule 116. The request for permission to appear will therefore be granted.

IT IS THEREFORE ORDERED:

1. An investigation is initiated to determine the reasonableness of MidAmerican Energy Company's Iowa jurisdictional electric rates. This matter is identified as Docket No. RPU-01-3, a formal contested case proceeding. The expenses reasonably attributable to this investigation will be assessed to MidAmerican in accordance with Iowa Code § 476.10 (2001).
2. The following procedural schedule is established:
 - a. The parties shall notify the Board prior to July 30, 2001, if they desire a prehearing conference.

b. MidAmerican and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before June 11, 2001. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

c. MidAmerican and any intervenors that find it necessary to file testimony in rebuttal to each other's direct testimony may file rebuttal testimony on or before July 9, 2001.

d. Consumer Advocate shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before July 31, 2001.

e. MidAmerican and any intervenor shall file rebuttal testimony on any issues raised initially in that party's direct testimony and responded to by another party on or before August 14, 2001.

f. The parties shall file a joint statement of the issues on or before August 20, 2001.

g. All parties that choose to file a prehearing brief may do so on or before August 27, 2001.

h. A hearing shall be held beginning at 10 a.m. on September 24, 2001, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Board's hearing room at 350 Maple Street, Des Moines, Iowa 50319-0069. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons

with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

i. The parties may file simultaneous initial briefs on or before October 29, 2001.

j. All parties who filed initial briefs may file reply briefs on or before November 13, 2001.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination that have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

6. Consumer Advocate shall file the information identified in this order within 15 days from the date of this order.

7. The joint petition to intervene filed by Interstate Power Company and IES Utilities Inc. on March 27, 2001, is granted.

8. The petition to intervene filed by Ag Processing Inc. on April 6, 2001, is granted.

9. The request for permission to appear filed by Patrick J. Joyce on April 6, 2001, is granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 13th day of April, 2001.