

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MANNING MUNICIPAL LIGHT PLANT and MIDAMERICAN ENERGY COMPANY	DOCKET NO. SPU-00-25
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued May 4, 2001)

On December 19, 2000, Manning Municipal Light Plant (Manning) and MidAmerican Energy Company (MidAmerican) filed a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). A service area agreement between Manning and MidAmerican was attached to the petition. Manning and MidAmerican provided the Board's staff with a revised legal description on April 27, 2001. No objections to the petition were filed.

Manning and MidAmerican request the Board transfer from MidAmerican to Manning two parcels of land in Carroll County, Iowa, described as follows:

1. The West Half (W1/2) of the Northwest Quarter (NW1/4) and Lot Three (3) of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) both in Section 21, Township 82 North, Range 36 West of the 5th P.M., Carroll County, Iowa, said lot 3 further described as follows:

Beginning at the Northwest Corner of Section 21, Township 82 North, Range 36 West of the 5th P.M. Carroll County, Iowa thence South 0°40'30" East, 298.32 feet; thence South 89°56'31" East, 1,302.68 feet to the point of beginning (being on the East boundary line of said NW1/4); thence continuing easterly along said line, 276.37 feet; thence

South 2°01'27" West, 513.30 feet; thence North 89°56'31" West, 252.31 feet; thence South 00°39'42" East, 513.04 feet (along the East boundary line of said NW1/4) to the point of beginning.

2. Lot One (1) of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4), Section 18, Township 82 North, Range 36 West of the 5th P.M., Carroll County, Iowa, said lot 1 described as follows:

Beginning at the Southwest (SW) corner of the Southeast Quarter (SE1/4) of Section 18, thence North 00°35'28" East, 319.90 feet, along the West line of said SE1/4; thence North 89°59'44" East, 255.00 feet, parallel with the North right of way line of Iowa Highway 141; thence South 00°35'28" West, 319.92 feet, parallel with the West line of said SE1/4, to the South line thereof; thence West 255.00 feet, along the South line of said SE1/4, to the point of beginning.

In support of the petition, Manning and MidAmerican state that the two parcels are being developed by Manning and have been annexed. Manning and MidAmerican agree Manning can serve the areas most efficiently because Manning has adequate facilities in close proximity. MidAmerican would be required to build additional facilities to serve the areas. MidAmerican currently serves two customers in the areas to be transferred. Both customers have agreed to the transfer.

Iowa Code § 476.25 (2001) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Manning and MidAmerican joint petition for modification of service area boundaries. Manning and MidAmerican have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by Manning Municipal Light Plant and MidAmerican Energy Company on December 19, 2000, and supplemented on April 27, 2001, is granted, subject to complaint or investigation.

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 4th day of May, 2001.