

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>PRINCIPAL LIFE INSURANCE COMPANY, f/k/a PRINCIPAL MUTUAL LIFE INSURANCE COMPANY,</p> <p style="text-align:center">Complainant,</p> <p>vs.</p> <p>MIDAMERICAN ENERGY COMPANY,</p> <p style="text-align:center">Respondent.</p>	<p>DOCKET NO. FCU-01-3</p>
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ORDER GRANTING MOTION TO AMEND COMPLAINT

(Issued March 12, 2002)

On February 25, 2002, Principal Life Insurance Company, f/k/a Principal Mutual Life Insurance Company (Principal) filed an "Amendment of Complaint." Principal stated it was amending its complaint three ways. Two of the changes add additional technical detail to the complaint. One of the changes modified the prayer for relief. Specifically, Principal stated it was adding a request that the Utilities Board (Board) assess, allocate, and charge all of the expenses of this proceeding attributable to the duties of the Board and the Consumer Advocate Division of the Department of Justice (Consumer Advocate) directly to MidAmerican.

The Board rule at 199 IAC 7.2(9) provides that amendments to pleadings may be allowed upon proper motion at any time during the pendency of the proceeding

upon just and reasonable terms. Although Principal did not characterize its amendment as a motion, the amendment will be treated as if it included a motion to amend the complaint.

Parties have 14 days in which to file a response to a motion. 199 IAC 7.7(11). MidAmerican Energy Company (MidAmerican) and the Consumer Advocate had until March 11, 2002 to file a response to the motion. Neither party filed a response.

Regardless of whether Principal's prayer for relief is amended, the Board has the authority under Iowa Code § 476.10 (2001) (as amended by 2001 Iowa Acts, chapter 9, section 1), to allocate and directly charge expenses either to Principal, to MidAmerican, or to both, after considering the factors contained in the amended statute. Furthermore, the decision on whether and how to direct bill for its expenses and those certified to it by the Consumer Advocate is a decision reserved to the Board. The undersigned will not be making such a decision and it will not be included as a part of the proposed decision the undersigned will issue in this case.

IT IS THEREFORE ORDERED:

Principal's motion to amend its complaint is hereby granted. The complaint is modified as filed by Principal.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 12th day of March, 2002.