

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. RPU-02-3
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ORDER GRANTING MOTION, AS AMENDED, TO TAKE OFFICIAL NOTICE

(Issued July 12, 2002)

On June 12, 2002, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a motion to take official notice of the agency record in Docket Nos. ARC-01-150 and ARC-01-151. These two dockets evaluated the reasonable and prudence of the fuel procurement and contracting practices of Interstate Power and Light Company's (IPL) predecessor utilities, IES Utilities Inc. and Interstate Power Company. In addition, the Board in those dockets examined issues regarding possible rate freeze violations, replacement of the energy adjustment clause, and possible adjustments for capacity costs for expiring long-term contracts.

IPL filed a resistance to the motion on June 24, 2002. IPL argued that much of the record in the ARC proceedings was irrelevant to the issues addressed in Consumer Advocate's motion. Consumer Advocate filed a reply on July 8, 2002. While Consumer Advocate disagreed with the arguments made by IPL, Consumer Advocate amended its motion to only request that the Board take official notice of the

Board's April 8, 2002, order in the ARC dockets, and of the fact that this order was not challenged by any party and constitutes the Board's final action in the ARC proceeding.

The Board will grant Consumer Advocate's motion, as amended, and take official notice of its April 8, 2002, order, and of the fact that this order was not challenged by any party, either by rehearing or court appeal, and that therefore the April 8, 2002, order constitutes the Board's final action in Docket Nos. ARC-01-150 and ARC-01-151. The Board in its order specifically noted that several issues, such as energy adjustment clause alternatives, might be addressed in the next rate case or a rulemaking proceeding. The Board expects that other parties may seek to introduce at hearing other portions of the ARC record that are relevant to specific rate case issues.

IT IS THEREFORE ORDERED:

1. The motion to take official notice of agency record filed by the Consumer Advocate Division of the Department of Justice on June 12, 2002, as amended on July 8, 2002, is granted.
2. The Board hereby takes official notice of its order issued on April 8, 2002, in Docket Nos. ARC-01-150 and ARC-01-151, including the facts, findings, and conclusions of law contained therein; and of the fact that this order was not

challenged by any party, either by rehearing or court appeal, and constitutes the Board's final action in the ARC proceeding.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

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