

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. SPU-02-21
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ORDER GRANTING MOTION FOR LEAVE TO FILE REBUTTAL TESTIMONY

(Issued April 16, 2003)

On April 11, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a motion for leave to file rebuttal testimony. Consumer Advocate filed rebuttal testimony on the same date.

In support of the motion, Consumer Advocate said its rebuttal testimony responded to matters related to the jurisdictional demarcation of Interstate Power and Light Company's (IPL) transmission and distribution facilities contained in the technical report prepared by KEMA Consulting and IPL's rebuttal testimony. Both of these were filed after initial testimony from Consumer Advocate and other intervenors was due.

The Board will grant the motion. Because of the short time frames involved in a reorganization proceeding, the Board in its February 6, 2003, procedural order said that "the failure to file testimony does not preclude intervenors from presenting testimony and exhibits at hearing." Consumer Advocate could have elected to

present this testimony at hearing. By filing the testimony now, all parties and the Board have an opportunity to review the testimony prior to hearing. The Board encourages all testimony in a reorganization proceeding to be filed pursuant to the procedural schedule or as soon as possible prior to hearing.

IT IS THEREFORE ORDERED:

The "Motion for Leave to File Rebuttal Testimony" filed by the Consumer Advocate Division of the Department of Justice on April 11, 2003, is granted.

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 16th day of April, 2003.