

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>MIDWEST RENEWABLE ENERGY PROJECTS LLC,</p> <p style="padding-left: 100px;">Petitioner,</p> <p style="padding-left: 40px;">v.</p> <p>INTERSTATE POWER AND LIGHT COMPANY,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>DOCKET NO. AEP-05-1</p>
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**ORDER SCHEDULING HEARING ON MOTION FOR PROTECTIVE ORDER
AND TO COMPEL**

(Issued February 28, 2005)

On January 12, 2005, Midwest Renewable Energy Projects LLC (Midwest Renewable) filed with the Utilities Board (Board), pursuant to 199 IAC 15.4 and 15.5, a petition to determine specific rates to be paid by Interstate Power and Light Company (IPL) for purchases of qualifying energy and/or capacity for a certain qualifying small power production facility. On February 7, 2005, the Board granted Midwest Renewable's request that the Board preside at the hearing in this case and established an expedited procedural schedule. The Board stated that time is of the essence because of the expiration of current federal tax credits on December 31, 2005.

On February 24, 2005, Midwest Renewable filed a motion for protective order and to compel IPL to respond to certain discovery requests. In order to maintain the expedited procedural schedule, the Board on February 25, 2005, issued an order assigning Cecil I. Wright as presiding officer to rule on any prehearing motions that may be filed, which includes the motion filed February 24, 2005, by Midwest Renewable. The Board stated that the assignment of a presiding officer is for the limited purpose of hearing and issuing decisions on prehearing motions.

By this order, a hearing to consider the motion filed by Midwest Renewable on February 24, 2005, is scheduled for March 2, 2005. The hearing is set on an expedited basis and will address all of the issues raised in the motion. Final oral argument will be allowed at the hearing and a decision will be issued in writing on or before March 4, 2005.

It is the Presiding Officer's understanding that IPL may file a written response to the motion on February 28, 2005. The parties shall then be prepared to appear and present argument on the motion at the hearing. The data requests identified by Midwest Renewable in Attachment F to the "Motion For Protective Order And For Order Compelling Discovery" filed on February 24, 2005, will be addressed individually. IPL shall bring the information sought to be discovered, or if the information is voluminous, an example of the information sought by each data request to the hearing.

IT IS THEREFORE ORDERED:

1. A hearing shall be held beginning at 9 a.m. on March 2, 2005, for the purpose of addressing the motion filed by Midwest Renewable Energy Projects LLC on February 24, 2005. The hearing shall be held in the Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. 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.

2. The parties shall be prepared to address the data requests identified in the motion filed by Midwest Renewable Energy Projects LLC.

3. Interstate Power and Light Company shall bring to the hearing the responses to the data requests, or if voluminous, an example of the information sought.

UTILITIES BOARD

/s/ Cecil Wright

Cecil Wright
Presiding Officer

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 28th day of February, 2005.