

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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IN RE:  MIDAMERICAN ENERGY COMPANY	DOCKET NO. P-857
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**ORDER ASSIGNING TO ADMINISTRATIVE LAW JUDGE**

(Issued March 14, 2005)

On October 1, 2003, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) a petition for a pipeline permit for an existing natural gas pipeline, known as the Henderson Lateral, in Mills County, Iowa. The pipeline was constructed in 1970 and consists of 6.05 miles of 2-inch diameter natural gas pipeline with a maximum allowable operating pressure of 125 psig. A permit is required for the pipeline because it meets the definition of a transmission line found in 49 CFR 192.3. The pipeline transports natural gas from another transmission line to a gas distribution center.

Board staff reviewed the petition, notified MidAmerican of deficiencies in the petition, and requested additional information in a letter dated October 20, 2003. MidAmerican filed a response and additional information on December 29, 2003. On January 22, 2004, Board staff notified MidAmerican of additional deficiencies. On February 12, 2004, MidAmerican filed a response to the second letter.

Board staff conducted a route inspection report of the pipeline on October 16, 2003, and found no problems with the route. On December 9 and 10, 2004, Board staff conducted an investigation of the pipeline for compliance with federal and Board pipeline safety standards. Board staff cited two probable violations of pipeline safety standards during the inspection.

MidAmerican was notified of the probable violations by letter dated January 10, 2005, and MidAmerican filed a response on February 10, 2005, stating that corrective action would be taken by May 31, 2005. On March 2, 2005, Board staff filed a report concerning the petition and route. As part of the report, Board staff recommends that MidAmerican be required to file testimony addressing the status of the two probable violations.

Iowa Code § 479.7 (2005) requires the Board to set a hearing in a pipeline proceeding upon the filing of a petition. The Board finds that the petition, with the additional information provided by MidAmerican, sufficiently meets the Board's filing requirements and the Board will assign Docket No. P-857 to an administrative law judge to establish a procedural schedule and conduct a hearing. The inspection report filed by Board staff recommends MidAmerican address the status of the actions taken in response to the two probable violations cited by Board staff in testimony.

**IT IS THEREFORE ORDERED:**

Docket No. P-857 is assigned to the Board's administrative law judge, Amy Christensen, to establish a procedural schedule and exercise the authority provided in 199 IAC 7.1(4).

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of March, 2005.