

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. WRU-05-9-150 (EEP-02-38)
---	--

ORDER GRANTING WAIVER

(Issued March 17, 2005)

On February 28, 2005, Interstate Power and Light Company (IPL) filed with the Utilities Board (Board) a request for waiver of 199 IAC 35.12(2) for both its electric and gas operations. This subrule requires that a utility file an automatic adjustment of its energy efficiency cost recovery factors by March 1 of each year for the 12-month period beginning at the start of the first billing month at least 30 days after the Board's approval of the filing. IPL requests that its cost recovery factors be filed in June and become effective with IPL's August billing period. Counsel for the Board contacted counsel for the Consumer Advocate Division of the Department of Justice (Consumer Advocate). Consumer Advocate has no objection to the waiver. No responses or objections to the waiver request were filed.

The Board will grant the waiver. IPL and its predecessors have consistently used an August date for changes in their energy efficiency cost recovery factors. See, IES Utilities Inc. and Interstate Power Company, "Order Granting Waivers and Docketing Tariffs," Docket Nos. WRU-01-151, WRU-02-150, TF-01-45, TF-01-46

(EEP-95-1, ECR-96-3, EEP-94-40 ECR-96-1) (issued 2/15/01). The March filing date is not mandated by statute or other provision of law and does not impact public health, safety, or welfare. The standards contained in 199 IAC 1.3 for a waiver have been satisfied.

IPL need not file this waiver request each year. Because IPL has consistently used an August effective date, no additional waiver filing is required to continue using this time frame in future years, unless otherwise ordered by the Board or until there is a change to the subrule.

IT IS THEREFORE ORDERED:

The request for waiver of 199 IAC 35.12(2) filed by Interstate Power and Light Company on February 28, 2005, is granted.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Margaret Munson
Executive Secretary, Deputy

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17th day of March, 2005.