

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: EMMETSBURG MUNICIPAL UTILITIES	DOCKET NO. P-854
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ORDER ASSIGNING TO PRESIDING OFFICER

(Issued May 9, 2005)

On August 7, 2003, Emmetsburg Municipal Utilities (Emmetsburg) filed with the Utilities Board (Board) a petition for a pipeline permit for an existing natural gas pipeline in Palo Alto County, Iowa. The 3.314 miles of 4-inch diameter natural gas pipeline was constructed in 1996 and placed into service on July 14, 1997. The pipeline has a maximum allowable operating pressure of 367 psig (pounds per square inch gauge). The pipeline serves the Ag Processing Inc plant in Emmetsburg. The petition has been identified as Docket No. P-854.

The pipeline requires a permit since it meets the definition of a transmission line in 49 CFR 192.3. Iowa Code § 479.7 (2005) requires the Board to set a hearing in a pipeline proceeding upon the filing of a petition. Board staff reviewed the petition, notified Emmetsburg of deficiencies in the petition, and requested additional information in letters dated August 27, 2003, and January 24, 2005. On May 24, 2004, and March 10, 2005, Emmetsburg filed revisions to the petition and additional information.

Board staff conducted an inspection of the pipeline on March 29, 30, and 31, 2005. Board staff found no probable violations of federal or Board safety regulations and no problems with the route of the pipeline. On April 27, 2005, Board staff filed a report concerning the pipeline petition and route.

The Board finds that the petition, as revised, substantially meets the Board's filing requirements. The Board will assign Docket No. P-854 to an administrative law judge to establish a procedural schedule and conduct a hearing.

IT IS THEREFORE ORDERED:

Docket No. P-854 is assigned to 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 9th day of May, 2005.