

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. SPU-05-9
--	---------------------

ORDER SETTING INTERVENTION DEADLINE

(Issued June 27, 2005)

On June 13, 2005, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) an “Application for Review of Reorganization, Approval of Settlement Agreement and Approval of Term of Electric Service Contract” (Application). According to the Application, the purpose of the reorganization is to enable MidAmerican to provide retail electric service to IPSCO Steel, Inc. (IPSCO), an industrial facility currently served by Eastern Iowa Light and Power Cooperative (Eastern Iowa).

Eastern Iowa and MidAmerican propose an exchange of some electric service territory, an exchange of assets of equal value, and a series of transaction events that will enable MidAmerican to provide retail electric service to IPSCO. In addition, the Application contains a settlement agreement between MidAmerican and the Consumer Advocate Division of the Department of Justice (Consumer Advocate) addressing issues related to rate recovery of the costs of new generation that will be used in part to provide retail service to IPSCO. The Application notes that the Consumer Advocate supports the reorganization portion of the Application. Finally,

the Application asks for approval of term of electric service contract between MidAmerican and IPSCO.

MidAmerican has asked for expedited treatment of its Application in order for it to begin serving IPSCO on October 1, 2005. Pursuant to Iowa Code § 476.77(2), a reorganization cannot be disapproved without providing for a hearing and the notice of hearing must be issued within 50 days of filing the reorganization proposal. Subrule 199 IAC 32.9(1) gives intervenors the opportunity to file written testimony and exhibits within 40 days after the reorganization proposal is filed. In making its determination whether to issue a notice of hearing the Board reviews this testimony. Subrule 199 IAC 32.9(4) allows interventions any time after the filing of a proposal for reorganization.

Generally, the Board in reorganization dockets issues a notice of hearing within 50 days and schedules a hearing. That hearing can then be cancelled if a settlement agreement is subsequently filed. However, a hearing may not be necessary in this docket, in part because of the settlement agreement between MidAmerican and Consumer Advocate that was filed as part of the Application. Therefore, the Board will set an intervention deadline to determine whether any parties are interested in submitting testimony and exhibits to assist the Board in determining whether a notice of hearing should be issued. Any potential intervenors will be required to file a petition to intervene on or before July 15, 2005. In the event there are intervenors, any testimony they wish to file for the Board to consider in

deciding whether to require a hearing is to be filed on or before July 22, 2005,
pursuant to 199 IAC 32.9(1).

IT IS THEREFORE ORDERED:

1. Any person desiring to intervene in this proceeding shall file a petition to
intervene on or before July 15, 2005.
2. Any written testimony and exhibits filed pursuant to 199 IAC 32.9(1)
shall be due on or before July 22, 2005.

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 27th day of June, 2005.