

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HORIZON ETHANOL, LLC	DOCKET NO. P-862
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ORDER ASSIGNING TO PRESIDING OFFICER

(Issued November 1, 2005)

On September 30, 2005, Horizon Ethanol, LLC (Horizon), filed with the Utilities Board (Board) a petition for a pipeline permit to allow Horizon to construct, maintain, and operate 10 miles of 6-inch diameter natural gas pipeline in Hamilton County and Story County, Iowa. The proposed pipeline would extend from a proposed tap from the Northern Natural Gas Company pipeline west of Story City, Iowa, to the Horizon Ethanol Plant, northwest of Jewell, Iowa. The proposed pipeline will be owned by Horizon. Horizon has contracted with Montana-Dakota Utilities Company (Montana-Dakota), a North Dakota corporation, to construct, operate, and maintain the proposed pipeline.

Board staff reviewed the petition and notified Horizon of deficiencies in the petition and requested additional information in letters dated October 6 and 19, 2005. On October 17 and 21, 2005, Horizon filed revisions to the petition and provided additional information. On October 25, 2005, Board staff filed a report addressing the petition and proposed route. In the report, staff requested that Horizon be required to provide additional information in prefiled testimony addressing the following issues:

1. The qualifications and experience of Montana-Dakota in constructing, operating, and maintaining natural gas pipelines in compliance with 49 CFR Parts 192 and 199 and the requirements in the Board's rules;
2. Whether Horizon will develop new written plans and procedures for the pipeline or use existing Montana-Dakota procedures as the procedures required by 49 CFR Parts 192 and 199 for Operations, Maintenance and Emergency Response Plan, Operation Qualification Program, Integrity Management Program (if required for this pipeline), and Anti-Drug and Alcohol Misuse Plan; and
3. Explain what qualified personnel will be available locally to promptly respond to leaks, emergencies, line locate and marking requests, and other issues that may arise.

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, as revised, sufficiently meets the Board's filing requirements and the Board will assign Docket No. P-862 to a presiding officer to establish a procedural schedule and conduct a hearing. The inspection report filed by Board staff recommends that Horizon provide additional information as described above in prefiled testimony. The presiding officer should review these recommendations and take the appropriate action.

IT IS THEREFORE ORDERED:

Docket No. P-862 is assigned to Amy Christensen, the Board's administrative law judge, 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/ Margaret Munson
Executive Secretary, Deputy

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 1st day of November, 2005.