

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HORIZON ETHANOL, LLC	DOCKET NO. P-862
------------------------------------	------------------

REVISED PROCEDURAL ORDER AND NOTICE OF HEARING

(Issued November 14, 2005)

On November 7, 2005, the undersigned administrative law judge issued a procedural order and notice of hearing setting the hearing in this case for December 20, 2005. Horizon Ethanol, LLC (Horizon), requested expedited treatment and a hearing date of Monday, December 5, 2005, so that it may begin construction if a permit is granted.

The Consumer Advocate Division of the Department of Justice (Consumer Advocate) does not object to the request. The parties agreed to the revised procedural schedule set forth in this order. Horizon waives any right to file prepared rebuttal testimony if the Consumer Advocate chooses to file prepared testimony.

The motion should be granted.

IT IS THEREFORE ORDERED:

1. The following revised procedural schedule is established:
 - a. On or before November 21, 2005, Horizon must file prepared direct testimony relating to its petition as discussed in the procedural order issued November 7, 2005.

b. If the Consumer Advocate or any objector chooses to file prepared responsive testimony, it must do so on or before November 28, 2005.

c. A public hearing for the presentation of evidence and the cross-examination of witnesses concerning the issues identified in this notice of hearing will be held beginning at 10 a.m. on Monday, December 5, 2005, in Fuller Hall, 625 Bank Street, Webster City, Iowa 50595. Each party must provide a copy of its prepared testimony and exhibits to the court reporter at the hearing. Persons with disabilities who will require assistive services or devices to observe this hearing or participate in it should contact the Board at (515) 281-5256 at least five business days prior to the hearing to request that appropriate arrangements be made.

2. Horizon must publish notice in conformance with the requirements of Iowa Code § 479.7 and 199 IAC 10.4, and must file proof of publication prior to or at the hearing. Failure to comply with the notice requirements will require rescheduling of the hearing.

3. All provisions of the "Order Establishing Procedural Schedule and Proposing to Take Official Notice and Notice of Hearing" issued on November 7, 2005, remain in effect unless specifically modified in this order.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 14th day of November, 2005.