

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  HAWKEYE TRI-COUNTY RURAL ELECTRIC COOPERATIVE AND ALLAMAKEE-CLAYTON ELECTRIC COOPERATIVE, INC.	DOCKET NO. SPU-05-22
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**ORDER GRANTING PETITION FOR MODIFICATION  
OF SERVICE AREA BOUNDARIES**

(Issued December 19, 2005)

On November 10, 2005, Hawkeye Tri-County Rural Electric Cooperative (Hawkeye) and Allamakee-Clayton Electric Cooperative, Inc. (Allamakee), filed a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2). Exhibit A attached to the petition depicts the existing and proposed boundary between the two utilities. On November 30, 2005, in response to an inquiry from the Consumer Advocate Division of the Department of Justice, Hawkeye and Allamakee supplemented their filing with a notice that the two current customers and one prospective customer affected by the proposed boundary change do not object to the change. No objections or other responses to the petition were filed.

Hawkeye and Allamakee have agreed to modify their exclusive service territory boundaries in Allamakee County, Iowa. The following territory is to be transferred from Allamakee to Hawkeye:

The Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Seventeen (17), the East Half of the Southwest Quarter (E  $\frac{1}{2}$  SW  $\frac{1}{4}$ ) of Section Seventeen (17), the North Half of the Northeast Quarter (N  $\frac{1}{2}$  NE  $\frac{1}{4}$ ) of Section Twenty (20), and the Northeast Quarter of the Northwest Quarter (NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ) of Section Twenty (20), all in Township 99 North, Range 6 West of the 5<sup>th</sup> P.M., Allamakee County, Iowa.

In support of the petition, Hawkeye and Allamakee state that by agreement between the two utilities Hawkeye has previously extended service to two customers in the territory to be transferred. A third customer has requested service in the same area. Because of certain topographical challenges to extending electric service in this area, the utilities have determined that Hawkeye can more efficiently provide electric service. The formal boundary modification will promote the efficient provision of electric service to this area and avoid duplication of facilities. The two customers and one prospective customer affected by the proposed modification have no objection to the change.

Iowa Code § 476.25(2) (2005) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the joint petition for modification of service area boundaries. Hawkeye and Allamakee have alleged facts that establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

**IT IS THEREFORE ORDERED:**

The joint petition for modification of electric service area boundaries filed by Hawkeye Tri-County Rural Electric Cooperative and Allamakee-Clayton Electric Cooperative, Inc., on November 10, 2005, and supplemented on November 30, 2005, is granted, subject to complaint or investigation.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 19<sup>th</sup> day of December, 2005.