

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HARDIN HILLTOP WIND, LLC	DOCKET NO. DRU-06-4
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ORDER ALLOWING ADDITIONAL COMMENTS

(Issued August 25, 2006)

On July 27, 2006, Hardin Hilltop Wind, LLC (Hardin), filed with the Utilities Board (Board) a petition for a declaratory order related to the eligibility of certain limited liability tax companies for wind energy production tax credits pursuant to Iowa Code chapter 476C and 199 IAC 15.19 and whether eligible renewable energy facilities may utilize external equity financing as long as the qualifying local owner retains a majority of the governing rights at all times and at least 51 percent of the project's expected benefits over the life of the project. The Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a petition for intervention that included some comments on the petition for declaratory order on August 10, 2006. Pursuant to 199 IAC 4.3(1), Consumer Advocate qualifies as an intervenor in this proceeding.

Pursuant to Iowa Code § 17A.9(5), the Board will provide Hardin and Consumer Advocate an opportunity to file additional comments that will allow the Board to issue, or decline to issue, a declaratory order within the 60-day time limit

provided by Iowa Code § 17A.9(8). Hardin and Consumer Advocate may file any additional comments on or before September 1, 2006.

IT IS THEREFORE ORDERED:

Hardin Hilltop Wind, LLC, and the Consumer Advocate Division of the Department of Justice may file any additional comments or arguments on or before September 1, 2006.

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 25th day of August, 2006.