

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. E-21822
--	--------------------

ORDER GRANTING PETITION TO INTERVENE

(Issued October 17, 2006)

On July 10, 2006, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) an electric franchise petition for 4.64 miles of electric transmission line near Charles City, Iowa. The petition is identified as Docket No. E-21822.

On October 4, 2006, VeraSun Energy Corporation (VeraSun) filed a petition to intervene. In support of its petition, VeraSun states that the proposed MidAmerican transmission line would provide the primary transmission of and access to electric power for VeraSun's planned Charles City ethanol plant. Without the transmission line, VeraSun notes the planned ethanol plant could be severely and detrimentally affected and suffer significant and costly delays.

Larry J. Frahm, an objector to the proposed routing of the line, objected to the petition to intervene. Mr. Frahm said the petition to intervene had "the appearance of meddling by an outside party."

VeraSun has demonstrated adequate grounds for intervention because, as the primary beneficiary of the proposed line, it has an interest in the subject matter of this

petition that will not be represented by other parties to this proceeding and its participation will likely assist in the development of a sound record by presentation of relevant evidence. 199 IAC 7.13(3). VeraSun is not an outside party, it is an entity that will be directly impacted by these proceedings. The Board will grant the petition to intervene.

VeraSun filed with its petition to intervene a request for expedited proceedings. VeraSun included a proposed schedule for commencement of construction of the proposed transmission line and ethanol plant. On October 6, 2006, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a response. Consumer Advocate did not object to the petition to intervene, but did object to the request for expedited proceedings. Consumer Advocate said that objectors' rights should not be diminished at the request of the line's intended principal beneficiary and that the petition for franchise should be processed in the ordinary time frame.

Iowa Code § 478.6 (2005) requires the Board to set a hearing if an objection is filed or eminent domain requested. Several objections to the proposed transmission line have been filed. Pursuant to section 478.6, one hearing must be held in Charles City (Floyd County).

Upon completion of the Engineering Section's Staff Report, the Board will likely assign the docket to an administrative law judge (ALJ), as it normally does in

franchise line proceedings, to schedule and conduct the hearing. It is anticipated the Staff Report will be completed by late October 2006.

The Board intends to have this docket proceed expeditiously, but at this early stage in the proceeding the Board cannot commit that the docket will be finished by any certain date because of factors that could impact the time it takes to conclude this docket, such as the number of objections, whether any significant amendments to the franchise petition will result after the Staff Report is issued, and whether there will be an appeal of any ALJ decision. The Board is confident that the ALJ will set a procedural schedule that balances the interests of all parties to the proceeding.

IT IS THEREFORE ORDERED:

The petition to intervene filed by VeraSun Energy Corporation on October 4, 2006, is granted.

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 17th day of October, 2006.