

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  EAST FORK BIODIESEL, LLC	DOCKET NO. P-870
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**ORDER ASSIGNING DOCKET TO PRESIDING OFFICER**

(Issued July 6, 2007)

On May 21, 2007, East Fork Biodiesel, LLC (East Fork), filed with the Utilities Board (Board) a petition for a pipeline permit to allow East Fork to construct, maintain, and operate a gas pipeline in Kossuth County, Iowa. The proposed natural gas pipeline consists of approximately 1.3 miles of 6-inch diameter plastic pipe and will transport natural gas from a new Northern Natural Gas Company delivery and metering station on an existing pipeline east of Algona, Iowa, to the East Fork plant currently under construction east of Algona.

Board staff reviewed the petition and notified East Fork of deficiencies in the petition and requested additional information by letters dated May 22 and June 8, 2007. On June 5 and June 13, 2007, East Fork filed revisions to the petition and provided additional information. On May 23, 2007, Board staff filed a route inspection report and a report concerning the petition. In the report, Board staff identified a number of issues that East Fork would need to address prior to the granting of the permit and recommended that East Fork be required to respond to the issues in prefiled testimony. The issues identified by staff are as follows:

1. Who will construct the pipeline, who will operate and maintain the pipeline, and what written plans and procedures will be used to operate and

maintain the pipeline in compliance with 49 CFR Parts 192 and 199, including the Operations and Maintenance Plan, Emergency Response Plan, Operator Program, Integrity Management Program (if required for this pipeline), and an Anti-Drug and Alcohol Misuse Plan?

2. What qualified personnel will East Fork have available to promptly respond to leaks, emergencies, line locate and marking requests, and other issues that might arise?

Iowa Code § 479.7 (2007) 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 for the Board to proceed to a hearing of this matter. The Board will assign the petition in Docket No. P-870 to a presiding officer to establish a procedural schedule and conduct a hearing.

**IT IS THEREFORE ORDERED:**

Docket No. P-870 is assigned to Amy Christensen as the presiding officer to establish a procedural schedule and exercise the authority provided in 199 IAC 7.3.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Curtis W. Stamp

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Krista K. Tanner

Dated at Des Moines, Iowa, this 6<sup>th</sup> day of July, 2007.