

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  BUTLER COUNTY RURAL ELECTRIC COOPERATIVE AND INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. SPU-07-16
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**ORDER GRANTING PETITION FOR MODIFICATION  
OF SERVICE AREA BOUNDARIES**

(Issued July 12, 2007)

On June 15, 2007, Butler County Rural Electric Cooperative (Butler) and Interstate Power and Light Company (IPL) filed a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2). Butler and IPL state that the joint petition is also intended to be an agreement for the designation of service territory. Exhibits showing the proposed modification are attached to the petition. No objections or other responses to the petition were filed.

Butler and IPL have agreed to modify their exclusive service territory boundaries in Floyd County, Iowa. After the modification, Butler will serve the following additional service territory:

A parcel of land located in part of the S ½ SW ¼ of section 31, Township 96 North, Range 18 West of the 5<sup>th</sup> P.M., Floyd County, Iowa; Described as: Commencing at the NW corner of the SW ¼ SW ¼ of said Section 31; thence S 89° 02' 39" E 752.81 ft, along the north line of said S ½ SW ¼ to the point of beginning, S 01° 26' 24" W 223.62 ft; thence N 89° 16' 51" W 183.99 ft; thence S 01° 45' 09" W 394.76 ft; thence S 56° 36' 12" E 368.46 ft; thence S 00° 47' 48" W

389.05 ft; thence S 85° 05' 51" E 181.06 ft; thence S 54° 39' 24" E 172.17 ft; to a point on the south line of said Section 31; thence N 89° 41' 21" E 449.03 ft. along said south line to a point on the east line of the W ½ of W ½ of SE ¼ SW ¼ of said Section 31; thence N 00° 19' 42" W 1305.88 ft along said east line to a point on the North line of S ½ SW ¼ of said Section 31; thence N 89° 02' 39" W 863.02 ft. along said north line to the point of beginning. Said parcel contains 26.37 acres, more or less, including 0.71 acres, more or less, in existing county road right of way

and

Out Lot "B", Kalke's First Addition To Floyd County, Iowa

In support of the petition, Butler and IPL state that the boundary between the two utilities currently runs through a 26-acre parcel. The owner of the property is constructing a home and several outbuildings, some of which are located in IPL's current service territory and some in Butler's current service territory. The joint petition states that the property owner asked that Butler provide service to the entire parcel. Butler and IPL state that service by one utility will be more efficient and prevent unnecessary duplication of facilities. The joint petition indicates that no other customers are located on the parcel subject to the proposed boundary modification.

Iowa Code § 476.25 (2007) 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. Butler and IPL 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 Butler County Rural Electric Cooperative and Interstate Power and Light Company on June 15, 2007, is granted, subject to complaint or investigation.

**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 12<sup>th</sup> day of July, 2007.