

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>MIDWEST RENEWABLE ENERGY PROJECTS LLC,</p> <p style="padding-left: 40px;">Petitioner,</p> <p style="text-align:center">v.</p> <p>INTERSTATE POWER AND LIGHT COMPANY,</p> <p style="padding-left: 40px;">Respondent.</p>	<p>DOCKET NOS. AEP-05-2 AEP-05-3 AEP-05-4</p>
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**ORDER SETTING DEADLINE FOR RESPONSES**

(Issued November 1, 2007)

On October 3, 2007, the undersigned issued an "Order Denying Motion for Partial Summary Judgment and Setting Deadline for Submission of Proposed Schedule." On October 17, 2007, Interstate Power and Light Company (IPL) filed a "Proposed Procedural Schedule." Midwest Renewable Energy Projects II, LLC (MREP) filed a "Clarifying Statement and Proposed Procedural Schedule" on October 17, 2007.

On October 25, 2007, IPL filed a "Response to Clarifying Statement of Midwest Renewable Energy Projects II, LLC and Request for Issue Preclusion Determination."

Prior to setting a procedural schedule in this case, it is appropriate to consider and rule on IPL's response and request for an issue preclusion determination. Therefore, the undersigned will provide an opportunity for MREP and the Consumer Advocate Division of the Department of Justice (Consumer Advocate) to file a response to IPL's response and request for an issue preclusion determination. Since IPL has the burden of proof on these questions, it will be given the opportunity to respond to the other parties' filings.

**IT IS THEREFORE ORDERED:**

1. If Midwest Renewable Energy Projects II, LLC and the Consumer Advocate choose to file responses to Interstate Power and Light Company's "Response to Clarifying Statement of Midwest Renewable Energy Projects II, LLC and Request for Issue Preclusion Determination," the responses must be filed on or before November 15, 2007.
2. If Interstate Power and Light Company chooses to file a response to the filings of Midwest Renewable Energy Projects II, LLC and the Consumer Advocate, its response must be filed on or before November 27, 2007.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 1<sup>st</sup> day of November, 2007.