

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. GCU-07-1
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ORDER SHORTENING TIME TO RESPOND

(Issued November 14, 2007)

On November 13, 2007, Interstate Power and Light Company (IPL) filed with the Utilities Board (Board) a motion for an order directing certain parties to this case to serve testimony and exhibits in a proper manner. In its motion, IPL says that Community Energy Solutions, Iowa Environmental Council, Iowa Farmers Union, Iowa Physicians for Social Responsibility, and Iowa Renewable Energy Association (collectively, the Coalition) served prepared direct testimony and exhibits on IPL in a manner that is not consistent with Board rules regarding service.

IPL notes that on October 22, 2007, the Board issued an order granting the Coalition an extension of time to file its direct testimony and exhibits, to October 31, 2007. IPL says that on November 1, 2007, it received only a cover letter and a compact disc (CD) containing an electronic copy of the Coalition's direct testimony and exhibits. IPL did not receive a paper copy of the filing. Counsel for IPL contacted counsel for the Coalition to express concerns about this method of service, noting that the parties had not agreed to it or even discussed it, and stating that without a paper copy it would be difficult for IPL to determine whether confidential

information had been properly identified as such. IPL says that counsel for the Coalition asserted that the CD was sufficient for service purposes.

IPL notes that the service method used by the Coalition caused significant burdens for IPL. The manner in which the information was recorded to the CD made it difficult for IPL to assemble a single, complete paper copy of the filing; for example, an exhibit would be identified as "Schedule A" or "Schedule B" only in the file name, not in the document itself, making it difficult to match each exhibit to the appropriate cover sheet and, accordingly, prohibiting the use of mass-production print jobs. As a result, IPL says, it was unable to assemble a complete printed copy of the information until the end of the day on November 2, 2007, two full days after the information was filed with the Board in printed format. IPL argues that this form of service does not comply with the requirements of the Board's rules and asks that either the filing be rejected or the Coalition be required to re-serve paper copies of its testimony and exhibits. IPL also asks that the Board direct the Coalition to serve all future filings in a manner that complies with Board rules.

Normally, the Coalition would have 14 days to respond to IPL's motion. However, in light of the serious nature of the allegations and the limited time available in this docket, the Board will shorten the Coalition's time to respond to the motion and require that any response be filed on or before November 19, 2007. The response should address each of the arguments IPL has advanced in support of its position that the Coalition failed to properly serve its testimony and exhibits; in addition, the Board notes that 199 IAC 7.7(1) provides that in Board proceedings "electronic files shall be accompanied by a hard-copy printout" The Coalition should explain why it believes its method of service complied with this requirement, if it so believes.

Proper service of documents filed with the Board is important for the efficient and fair processing of matters before the agency. If the parties to this proceeding had agreed to different service procedures in advance, then the Board would have no concerns about this matter. But where there is no such advance agreement, then service according to the rules is required. The Board will determine whether that occurred after it has reviewed the Coalition's response.

Upon issuance of this order, General Counsel will attempt to contact counsel for the Coalition by telephone and, if necessary, by electronic mail to alert the Coalition to this order.

IT IS THEREFORE ORDERED:

On or before November 19, 2007, Community Energy Solutions, Iowa Environmental Council, Iowa Farmers Union, Iowa Physicians for Social Responsibility, and Iowa Renewable Energy Association shall respond to the "Motion for Board Order Directing Proper Service" filed in this docket on November 13, 2007, by Interstate Power and Light Company.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 14th day of November, 2007.