

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: RESCISSION OF 199 IAC CHAPTER 28, IOWA SUPPLEMENTAL ENERGY CONSERVATION PLAN	DOCKET NO. RMU-07-7
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ORDER RESCINDING 199 IAC CHAPTER 28

(Issued November 15, 2007)

Pursuant to the authority of Iowa Code §§ 17A.4, 476.1A, 476.1B, and 476.2, the Utilities Board (Board) is rescinding Chapter 28 of its rules as described in the "Adopted and Filed" notice attached hereto and incorporated herein by reference. A "Notice of Intended Action" with the proposed rescission was published in IAB Vol. XXX, No. 8 (10/10/07) p. 692, as ARC 6317B. Chapter 28 established rules implementing a voluntary residential energy conservation plan for customers of municipal utilities and rural electric cooperatives. The rules were designed to ensure that reasonably consistent conservation services were available statewide to those customers not covered by the Iowa—Save America's Vital Energy (I-SAVE) plan for large investor-owned utilities adopted in 199 (formerly 250) IAC chapter 27.

On April 17, 1992, the Board issued an order rescinding the I-SAVE rules in chapter 27. See Docket No. RMU-91-17, In re: Rescission of I-SAVE Rules. At the request of the Code Editor, the Board has reviewed chapter 28 to determine if the rules are still applicable after the repeal of chapter 27. Based upon that review, the

Board determined that municipal utilities and electric cooperatives have established energy efficiency plans pursuant to Iowa Code §§ 476.1A and 476.1B and there is no longer a need for the voluntary rules established in chapter 28.

The only comment filed regarding the proposed rescission was filed by the Consumer Advocate Division of the Department of Justice, which indicated that it supported the rescission. Since there is no opposition to the proposed rescission and municipals and electric cooperatives have established energy efficiency plans pursuant to Iowa Code §§ 476.1A and 476.1B, the Board will rescind chapter 28.

IT IS THEREFORE ORDERED:

1. A rule making rescinding 199 IAC chapter 28, identified as Docket No. RMU-07-7, is adopted.
2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin the "Adopted and Filed" notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 15th day of November, 2007.

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code sections 17A.4, 476.1A, 476.1B, and 476.2, the Utilities Board (Board) gives notice that on November 15, 2007, the Board issued an order in Docket No. RMU-07-7, In re: Rescission of 199 IAC Chapter 28, Iowa Supplemental Energy Conservation Plan, "Order Rescinding 199 IAC Chapter 28." The Board is rescinding Chapter 28 since it is no longer necessary to establish voluntary requirements for municipal utilities and electric cooperatives to provide energy efficiency plans.

The Consumer Advocate Division of the Department of Justice filed a comment supporting the rescission. No other comments were filed. The order containing the Board's decision can be found on the Board's Web site, www.state.ia.us/iub.

The rescission is intended to implement Iowa Code sections 17A.4, 476.1A, 476.1B, and 476.2.

These amendments will become effective January 23, 2008.

Rescind 199—Chapter 28.

November 15, 2007

/s/ John R. Norris

John R. Norris
Chairman