

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>PIONEER HI-BRED INTERNATIONAL, INC.,</p> <p style="text-align:center">Complainant,</p> <p style="text-align:center">vs.</p> <p>INTERSTATE POWER AND LIGHT COMPANY,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:right">DOCKET NOS. FCU-07-13 WRU-07-35-150</p>
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**ORDER REQUESTING ADDITIONAL INFORMATION**

(Issued December 21, 2007)

On October 29, 2007, the Utilities Board (Board) issued an order on its own motion docketing as a formal complaint a settlement agreement filed by Pioneer Hi-Bred International, Inc. (Pioneer), and Interstate Power and Light Company (IPL) that proposed to resolve the remaining issues in an informal complaint filed by Pioneer against IPL. The informal complaint alleged that IPL had incorrectly installed a gas meter at Pioneer's Sheldahl facility, resulting in gas overbilling of approximately \$900,000 over a 12-year period. The settlement agreement states that IPL has previously refunded \$453,913.44 to Pioneer for the period back to December 31, 2001. In the informal complaint, Pioneer was seeking an additional \$443,000 for the

period from December 31, 2001, back to the installation of the meter on September 4, 1994.

On October 29, 2007, IPL filed a substitute page 5 for the settlement agreement. The substitute page shows that IPL, as part of the settlement, agrees that its shareholders will take responsibility for \$77,849.47 of the \$318,394.02 proposed refund and IPL proposes to pass the remaining \$240,544.55 through the purchased gas adjustment (PGA) reconciliation to other PGA customers. The settlement agreement provides that the settlement will have failed if the Board does not allow IPL to recover the \$240,544.55 from other PGA customers.

On October 30, 2007, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a limited objection to the settlement agreement. On November 1, 2007, IPL filed a request for waiver of 199 IAC 19.4(13)"d" as directed in the October 29, 2007, order. The waiver request has been identified as Docket No. WRU-07-35-150.

On November 9, 2007, the Board issued an order requesting additional information from IPL and asking the parties to indicate whether this matter should be set for hearing. On November 14, 2007, Consumer Advocate indicated it does not request a hearing. On November 19, 2007, IPL filed the additional information requested by the Board, waived its right to a hearing, and stated that the Board may consider the issues in this docket on the information presented in the informal complaint file and this formal complaint docket.

The Board has reviewed the informal complaint file, the settlement agreement, and the additional information filed by IPL on November 19, 2007. The Board understands from the information provided that IPL had a previous problem with a meter multiplier at Pioneer's Dysart plant in 1993 and IPL refunded \$468,288.93 to Pioneer for overbilling for the period August 1999 to April 2004. IPL indicates that a portion of this refund was included in the PGA annual reconciliation filed for 2004 and recovered from other PGA customers.

Before it can reach a decision on the settlement agreement and the possible recovery of the previous refund for overbilling at the Sheldahl facility, the Board needs to understand whether the problems with the meter multipliers are unique to the Pioneer facilities or have occurred at other facilities served by IPL. The Board will therefore direct IPL to provide the additional information identified below.

1. Provide a description of all instances since 1994 where an error in the installation or use of a meter multiplier has resulted in IPL making a refund or credit to a customer.
2. For those instances described in response to information request No. 1 above, provide the name of the customer, the date of the installation of the meter multiplier, the amount of any refund, the time period of the refund, a description of how the error was discovered, and whether all or a portion of any refund was recovered through the PGA from other customers; either through the PGA or otherwise.

3. Provide a description of any testing or inspection procedures that IPL implemented after the discovery of the meter multiplier error at the Pioneer Dysart facility in 1994.

The Board is separately issuing an order in Docket No. PGA-07-42 to allow the annual reconciliation filed in that docket to be implemented without the portion of the refund made by IPL in January 2007 for the overbilling at the Sheldahl facility. This will allow the Board time to reach a decision concerning the settlement agreement without delaying the implementation of the reconciliation factor beyond December 2007.

**IT IS THEREFORE ORDERED:**

Interstate Power and Light Company shall provide the additional information requested in this order on or before January 4, 2008.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 21st day of December, 2007.