

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. TF-07-221 (SPU-04-1)
---	------------------------------------

ORDER ACCEPTING RESPONSE

(Issued February 7, 2008)

On December 28, 2007, Interstate Power and Light Company (IPL) filed proposed tariffs designed to establish a small volume gas transportation service. On January 18, 2008, Cornerstone Energy LLC, d/b/a Constellation NewEnergy-Gas Division (Cornerstone), filed comments regarding IPL's proposed tariff. On January 25, 2008, the Utilities Board (Board) issued an order docketing the proposed tariff and directing that IPL respond to a hypothetical described in the order.

On January 31, 2008, IPL filed a response to Cornerstone's comments and requested a waiver of 199 IAC 7.9(2). IPL suggests that subrule 7.9(2) established the date for its response to Cornerstone's comments and due to internal circulation problems IPL states that it was unable to meet the deadline established in the subrule.

The Board will accept IPL's response as timely filed and the Board finds that a waiver of 199 IAC 7.9(2) is not necessary or appropriate in this instance. Since this docket, TF-07-221, involves a proposed tariff, 199 IAC 7.9(2) indicates that the

procedural rules in 199 IAC chapter 26 apply. Pursuant to subrule 26.5(3), a proposed tariff is not a formal proceeding until docketed by the Board. The Board considers Cornerstone's filing regarding the proposed tariff as comments and Board rules do not establish a specific time for filing responses to comments concerning a proposed tariff.

Now that the Board has docketed TF-07-221, future filings shall comply with 199 IAC 26.5(1), unless otherwise ordered by the Board. As expressed in the January 25, 2008, order, the Board will allow Cornerstone, IPL, and other interested persons an opportunity to discuss any unresolved issues prior to establishing a procedural schedule, if one is ultimately necessary.

IT IS THEREFORE ORDERED:

The pleading filed by Interstate Power and Light Company on January 31, 2008, is accepted.

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 7th day of February, 2008.