

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY AND CONSUMERS ENERGY COOPERATIVE	DOCKET NO. SPU-08-1
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued February 8, 2008)

On January 15, 2008, MidAmerican Energy Company (MidAmerican) and Consumers Energy Cooperative (Consumers) filed with the Utilities Board (Board) a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2). A service area agreement between the two utilities was attached to the joint petition as Exhibit A and maps illustrating the service area agreement were included with Exhibit A as Schedules 1 and 2. No objections or other responses to the petition were filed.

MidAmerican and Consumers have agreed to modify their exclusive service territory boundaries in Polk County, Iowa. The following service territory is to be transferred from Consumers to MidAmerican:

Parcel "U" as described in the Corrected Plat of Survey recorded in Book 10423, pages 899-900 in the Office of the Polk County Recorder in Iowa, EXCEPT the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 1, Township 80 North, Range 24 West of the 5th P.M., in Polk

County, Iowa. (A more detailed legal description is set forth on Schedule 1, page 2, of the joint petition).

The following service territory is to be transferred from MidAmerican to Consumers Energy:

All of Lots 1-38, 52-60, and Lot 66 in the Otter Creek Subdivision, and portions of Lots 45-51, 61, 65, and 67 as reflected on the preliminary plat of the Otter Creek Golf Course Development in Polk County, Iowa.

In support of the petition, MidAmerican and Consumers state that modification will allow continued development of coordinated retail electric service and ensure that electric service is provided to residential subdivisions in a logical manner.

MidAmerican and Consumers state that the transfer of service territory will eliminate or avoid unnecessary duplication of facilities and promote efficient and economical use of both utilities. There are no customers in the areas to be transferred who will change providers. The service area agreement attached as Exhibit A states that MidAmerican would continue to serve a golf course clubhouse and irrigation system in the service territory transferred to Consumers and that the lots transferred from MidAmerican to Consumers may be adjusted consistent with issuance of final plats.

Iowa Code § 476.25 (2007) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will

provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the joint petition for modification of service area boundaries. MidAmerican and Consumers have alleged facts that establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by MidAmerican Energy Company and Consumers Energy Cooperative on January 15, 2008, is granted, subject to complaint or investigation.

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 8th day of February, 2008.