

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: AQUILA, INC., d/b/a AQUILA NETWORKS	DOCKET NO. P-876
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ORDER ASSIGNING DOCKET TO PRESIDING OFFICER

(Issued February 21, 2008)

On December 19, 2007, Aquila, Inc., d/b/a Aquila Networks (Aquila), filed with the Utilities Board (Board) a petition for a pipeline permit to allow Aquila to construct, maintain, and operate a gas pipeline in Delaware County, Iowa. The proposed natural gas pipeline consists of approximately 3.6 miles of 6-inch and 4-inch diameter steel pipe and is designed to supply natural gas to the US BioEnergy Corporation ethanol plant currently being constructed in Dyersville, Iowa. Aquila states that the pipeline will also provide an additional supply of natural gas to land recently annexed by the City of Dyersville for the development of an industrial park.

Board staff reviewed the petition and by letters dated January 4, 2008, and February 6, 2008, notified Aquila of deficiencies in the petition and requested additional information. On February 12, 2008, Aquila filed revisions to the petition exhibits and provided additional information. On January 29, 2008, Board staff filed a report concerning the route inspection and petition. In the report, Board staff requests that Aquila respond to certain questions or provide additional information on several issues in prefiled testimony or at the hearing.

Iowa Code § 479.7 (2007) requires the Board to set a hearing in a pipeline proceeding upon the filing of a petition. The Board finds that the petition, as revised, substantially meets the filing requirements for the Board to proceed to a hearing of this matter. The Board will assign the petition in Docket No. P-876 to a presiding officer to establish a procedural schedule and conduct a hearing that addresses the issues raised in Board staff's January 29, 2008, report, as well as other statutory and factual issues.

IT IS THEREFORE ORDERED:

Docket No. P-876 is assigned to Amy Christensen as the presiding officer to establish a procedural schedule and exercise the authority provided in 199 IAC 7.3.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Sharon Mayer

Executive Secretary, Assistant to

Dated at Des Moines, Iowa, this 21st day of February, 2008.