

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MIDAMERICAN ENERGY COMPANY	DOCKET NO. WRU-08-4-156
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**ORDER GRANTING WAIVER AND APPROVING NOTICE**

(Issued February 25, 2008)

On February 15, 2008, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) a request for waiver of 199 IAC 26.5(1)"d"(1), which requires a utility to seek approval from the Board of a non-standard customer notice no less than 30 days before providing the notice to customers. The notice in question relates to MidAmerican's upcoming energy efficiency plan filing. A copy of the proposed notice was attached to the waiver request; MidAmerican also asked the Board to approve the customer notice. Counsel for the Board contacted counsel for the Consumer Advocate Division of the Department of Justice (Consumer Advocate). Consumer Advocate has no objection to the waiver request or proposed notice.

In support of its waiver request, MidAmerican said that pursuant to the Board's January 14, 2008, order in Docket No. 199 IAC 35.4(1), MidAmerican was directed to file a new energy efficiency plan on or before April 30, 2008. MidAmerican said it has been working on its new plan and believes the most cost-effective method of providing customer notice is by bill insert. Because of scheduling requirements, MidAmerican said the bill insert must be finalized by March 7, 2008, so it can be inserted in all bill cycles prior to April 30, 2008, the filing date of the new plan.

The Board will grant the waiver. The Board's January 14, 2008, order in Docket No. 199 IAC 35.4(1) recognized that waivers of some rules might be necessary to accommodate the filing schedules. Customers will receive notice of the filing before the new plan is filed, allowing them sufficient opportunity to intervene in the proceeding. The subject of the waiver request concerns a timing requirement not mandated by statute, does not prejudice the substantial rights of any person, and does not impact public health, safety, or welfare. The standards for a waiver contained in 199 IAC 1.3 have been satisfied.

The Board will also approve the attached customer notice, which MidAmerican will disseminate in a billing insert. The notice contains the information required by 199 IAC 35.4(4).

**IT IS THEREFORE ORDERED:**

1. The request for waiver filed by MidAmerican Energy Company on February 15, 2008, is granted.
2. The customer notice attached to MidAmerican's waiver request is approved.

**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 25<sup>th</sup> day of February, 2008.