

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  CRYSTAL LAKE WIND, LLC	DOCKET NOS. E-21830 E-21831 E-21832 E-21833
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**ORDER CONSOLIDATING DOCKETS  
AND ASSIGNING TO PRESIDING OFFICER**

(Issued February 29, 2008)

On August 28, 2007, Crystal Lake Wind, LLC (Crystal Lake), filed with the Utilities Board (Board) four electric transmission line franchise petitions, identified as Docket Nos. E-21830, E-21831, E-21832, and E-21833, for a total of 40.82 miles of 161,000-volt electric transmission line in Cerro Gordo, Hancock, Winnebago, and Worth Counties, Iowa. The proposed transmission line will connect a wind farm in Winnebago and Hancock counties to the Lime Creek transmission substation north of Mason City, Iowa.

The Board's staff reviewed the petitions and notified Crystal Lake of deficiencies and additional information requirements by letters, e-mails, or direct contacts on September 7, 14, 20, and 21, October 26 and 31, December 7, 10, 11, 12, 13, 14, 18, 28, and 31, 2007, and January 15, 2008. Crystal Lake filed revisions to the petition and additional information on October 10 and 19, November 7 and 15, and December 21, 2007, and on January 8, 9, 16, and 18, 2008. On February 25,

2008, a Board staff report (Staff Report) was filed concerning the electric transmission line franchise petitions and proposed transmission line route.

The Staff Report recommends that Crystal Lake provide additional information in prefiled testimony or at hearing regarding a number of issues and questions. Among the issues identified were whether the line is necessary to serve a public use, the status of project coordination with the Midwest Independent Transmission System Operator, Inc., inconsistencies in the petitions regarding the route, route deviations, and addressing issues raised by objectors.

Iowa Code § 478.6 (2007) requires the Board to set a hearing on a franchise application if an objection is filed or eminent domain requested. Eleven objections and one petition (containing 32 signatures) objecting to the transmission line were filed. While many of the objections have been withdrawn, as of the time of the Staff Report, seven objections in Hancock County and one in Winnebago County remain on file. Therefore, a hearing in each docket must be held. However, because each docket represents a segment of a larger project that is interrelated, the dockets will be consolidated for hearing.

Iowa Code § 478.6 requires that when the proposed transmission line is more than one mile in length, the hearing must be held in the county seat of the county at the midpoint of the line. The proposed line exceeds one mile and is located in four counties, with the midpoint of the line in Hancock County. The hearing will be held in Garner, Iowa, the county seat for Hancock County.

The Board will assign this docket to its administrative law judge, Amy Christensen, as presiding officer. The presiding officer will be directed to set a procedural schedule, including specific dates for filing testimony and hearing.

**IT IS THEREFORE ORDERED:**

Pursuant to Iowa Code § 17A.11(1)"b" (2007) and 199 IAC 7.3, Docket Nos. E-21830, E-21831, E-21832, and E-21833 are consolidated for purposes of hearing and assigned to the Board's administrative law judge, Amy Christensen, as presiding officer, to, among other things, set a procedural schedule, conduct a hearing, and issue a proposed decision. The presiding officer shall have the authority provided under 199 IAC 7.3.

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