

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. EEP-08-1
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ORDER MODIFYING PROCEDURAL SCHEDULE

(Issued June 27, 2008)

On June 10, 2008, Community Energy Solutions, Iowa Farmers Union, and Iowa Physicians for Social Responsibility (collectively, the Coalition) filed with the Utilities Board (Board) a motion to amend the procedural schedule in the review of Interstate Power and Light Company's (IPL) energy efficiency plan, Docket No. EEP-08-1. The motion asked that all deadlines be extended by 30 days. On June 17, 2008, the Coalition filed an amended motion to enlarge the procedural schedule, asking that all deadlines be extended by 60 days. IPL filed a response to the request for extension on June 25, 2008.

In support of its initial request (30-day extension), the Coalition said the schedule did not give its experts sufficient time to review IPL's testimony and file responsive testimony. In support of the amended request (60-day extension), the Coalition said its attorneys have been flooded out of their office in Cedar Rapids, Iowa, for about one week, and did not know when they could return.

IPL's response to the request for extension noted that the Coalition had many opportunities to involve its experts in the collaborative process that took place in the year prior to IPL's plan filing. IPL in its response outlined the various collaborative meetings that were held. In light of this process, IPL said the procedural schedule was not unduly restrictive and that the Coalition could have intervened at an earlier date. IPL noted its plan was filed on April 23, 2008. IPL said the initial 30-day extension request filed by the Coalition did not provide a sufficient basis for a continuance and would have slowed down implementation of the new energy efficiency plan, which IPL hoped would take place on January 1, 2009.

IPL said, however, that it recognized the impact of the 2008 floods across the state. IPL said it did not object to an extension that would extend the procedural schedule by two weeks.

The Board would have been inclined to deny the initial 30-day request for extension; the Coalition could have availed itself of the collaborative process and IPL's energy efficiency plan has been available for review since its filing on April 23, 2008. The request does not state sufficient grounds for an extension.

The impacts of the floods, however, are sufficient grounds for an extension, particularly when counsels' offices are not available for some period of time. The Board would be inclined to grant an extension of somewhere between 14 and 30 days, but a hearing date is not available in that time frame because of previously scheduled hearings and other commitments. The first block of time available for

IPL's energy efficiency hearing (which the Board estimates will take 3-4 days) is the week of December 16, 2008. The remainder of the procedural schedule will be adjusted to accommodate the new hearing date.

Because utilities are continuing to offer their current energy efficiency plans, having new plans approved by January 1, 2009, is important, but not absolutely critical. In the event some new programs are not contested in prefiled testimony, it may be possible to implement those programs on January 1, 2009, while reserving for litigation and Board decision only the contested portions of the energy efficiency plan.

IT IS THEREFORE ORDERED:

1. The procedural schedule issued by the Board on May 23, 2008, is modified as follows:

a. The Consumer Advocate Division of the Department of Justice (Consumer Advocate) and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before August 29, 2008. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

b. If Consumer Advocate and any intervenors find it necessary to file testimony in rebuttal to each other's direct testimony, they may file rebuttal testimony on or before September 19, 2008.

- c. IPL shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before October 17, 2008.
- d. Consumer Advocate and any intervenors shall file surrebuttal testimony, with underlying workpapers and exhibits, on or before November 7, 2008. Any such surrebuttal testimony is limited to issues raised for the first time in that party's initial testimony and responded to by IPL in its rebuttal testimony.
- e. The parties shall file a joint statement of the issues on or before November 17, 2008.
- f. All parties who choose to file a prehearing brief may do so on or before November 21, 2008.
- g. A hearing shall be held beginning at 9 a.m. on December 16, 2008, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.
- h. All parties may file briefs on or before January 20, 2009.

2. All other aspects of the procedural schedule issued May 23, 2008, remain unchanged.

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 27th day of June, 2008.