

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. EEP-08-2
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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 MidAmerican Energy Company's (MidAmerican) energy efficiency plan docket, Docket No. EEP-08-2. The motion asked that all deadlines be extended by 30 days. On June 17, 2008, the Coalition filed an amended motion to amend the procedural schedule, asking that all deadlines be extended by 60 days. On June 13, 2008, the Industrial Employers (IE) filed a request asking that the deadlines be extended, although no specific extension was requested. MidAmerican filed a response to the extension requests on June 18, 2008.

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

request, IE said the schedule did not provide sufficient time to complete discovery and testimony.

MidAmerican's response to the requests for extension noted that both the Coalition and IE failed to recognize MidAmerican worked with other utilities and stakeholders for nearly a year and a half before the energy efficiency plan was filed. MidAmerican in its response outlined the various collaborative meetings that were held. In light of this process, MidAmerican said the procedural schedule was not unduly restrictive and that the Coalition and IE could have intervened at an earlier date. MidAmerican noted its plan was filed on April 30, 2008. MidAmerican 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.

MidAmerican said, however, that it recognized the impact of the 2008 floods across the state. MidAmerican said it did not object to an extension that would extend the final briefs to the end of October 2008, which would be a 14-day extension.

The Board would have been inclined to deny the initial 30-day requests for extension; the Coalition and IE could have availed themselves of the collaborative process and MidAmerican's energy efficiency plan has been available for review since its filing on April 30, 2008. The requests did 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 will not grant the entire 60-day request, but will continue the hearing to October 27, 2008, and extend other dates accordingly. Final briefs will be due in mid-November.

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 established by Board order issued May 29, 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 July 28, 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 August 15, 2008.

c. MidAmerican shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before September 8, 2008.

d. Consumer Advocate and any intervenors shall file surrebuttal testimony, with underlying workpapers and exhibits, on or before September 15, 2008. Any such surrebuttal testimony is limited to issues raised for the first time in that party's initial testimony and responded to by MidAmerican in its rebuttal testimony.

e. The parties shall file a joint statement of the issues on or before September 22, 2008.

f. All parties who choose to file a prehearing brief may do so on or before September 22, 2008.

g. A hearing shall be held beginning at 9 a.m. on October 27, 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 November 17, 2008.

2. All other aspects of the procedural schedule issued May 29, 2008, are 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.