

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. WRU-08-26-156
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**ORDER GRANTING TEMPORARY WAIVER AND
DIRECTING THE FILING OF REVISED TARIFF SHEETS**

(Issued July 3, 2008)

On June 30, 2008, MidAmerican Energy Company (MidAmerican) filed a request with the Utilities Board (Board) to waive the provisions of 199 IAC 19.4(11)"d" and 20.4(12)"d" that require a customer account to be granted not less than one complete forgiveness of a late-payment charge for each calendar year. The rule also requires that the utility's terms of service be definitive that on one monthly bill in each period of eligibility, the utility will accept the net amount of such bill as a full payment for the month after expiration of the net payment period. MidAmerican requests a waiver of the late-payment charges for the next two billing cycles. MidAmerican asks that the Board act expeditiously on the waiver request to allow customers to be notified as soon as possible of the waiver. The waiver request has been identified as Docket No. WRU-08-26-156.

MidAmerican states that the waiver is being requested to ease billing concerns for customers impacted by the recent floods and tornados. MidAmerican indicates that it will also be suspending some collection activities, offering affected customers an additional payment agreement option and providing a 60-day extension on final

bills. MidAmerican states that its Gas Tariff No. 1, Original Sheet No. 15, and Electric Tariff No. 1, Original Sheet No. 20, both contain similar language to the late payment provisions in rules 19.4(11)"d" and 20.4(12)"d" and the waiver request is needed to allow MidAmerican to deviate from these tariff provisions.

To grant a waiver of a Board rule, the Board must find clear and convincing evidence that the four criteria in 199 IAC 1.3 are met. Those four criteria are: 1) the application of the rule would pose an undue hardship on the person for whom the waiver is requested, 2) the waiver would not prejudice the substantial legal rights of any person, 3) the provisions of the rule subject to the waiver are not specifically mandated by statute or another provision of law, and 4) substantially equal protection of health, safety, and welfare will be afforded by a means other than that prescribed in the rule for which the waiver is requested.

The Board has reviewed the waiver request and finds there is clear and convincing evidence that the four criteria in 199 IAC 1.3 have been met. The damage caused by the tornados and floods has left many MidAmerican customers without basic resources or the ability to pay for basic necessities. MidAmerican's waiver of the late-payment fees and other actions may reduce some of the financial burden on these customers. Since MidAmerican has requested the waiver for only two billing cycles, the Board will grant a temporary waiver.

Rather than place a time limit on the temporary waiver, the Board will require that MidAmerican file revised tariff sheets to reflect the change in its late-payment rules. This will allow MidAmerican, if necessary, to continue the waiver of late-

payment charges beyond two billing cycles without requesting an additional waiver. Once MidAmerican decides that the waiver is no longer required, it will need to file revised tariff sheets that reinstitute the current tariff provisions.

IT IS THEREFORE ORDERED:

1. MidAmerican Energy Company is granted a temporary waiver of 199 IAC 19.4(11)"d" and 20.4(12)"d."
2. Within 30 days of the dates of this order, MidAmerican Energy Company shall file revised tariff sheets to reflect the temporary waiver granted in this order.
3. MidAmerican Energy Company shall file additional revised tariff sheets once it determines that the waiver of paragraphs 19.4(11)"d" and 20.4(12)"d" is no longer necessary.

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 3rd day of July, 2008.