

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

<p>IN RE:</p> <p>BLACK HILLS/IOWA GAS UTILITY COMPANY, LLC, d/b/a BLACK HILLS ENERGY (f/k/a AQUILA, INC., d/b/a AQUILA NETWORKS)</p>	<p>DOCKET NO. RPU-08-3</p>
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**ORDER GRANTING MOTION FOR EXPEDITED ORDER EXTENDING FILING DEADLINE AND RESCHEDULING PREHEARING CONFERENCE**

(Issued August 21, 2008)

On June 2, 2008, Aquila, Inc., d/b/a Aquila Networks, n/k/a Black Hills/Iowa Gas Utility Company, LLC, d/b/a Black Hills Energy (Black Hills Energy), filed with the Utilities Board (Board) a proposed gas tariff pursuant to Iowa Code chapter 476 (2007) designed to increase Iowa gas rates to produce a permanent annual revenue increase of approximately \$13,560,000, or an overall annual revenue increase of 7.63 percent. On June 30, 2008, the Board issued an order docketing the proposed tariff and establishing a procedural schedule and a hearing date in Docket No. RPU-08-3 to consider the proposed general rate increase.

On August 12, 2008, the Board issued an order denying a motion to dismiss filed by the Consumer Advocate Division of the Department of Justice (Consumer Advocate), rescheduling a prehearing conference, extending the deadline for a final decision, and modifying the procedural schedule in this docket. On August 14, 2008, Black Hills Energy filed a motion for expedited order extending the filing deadline for

supplemental direct testimony established in the modified procedural order and to reschedule the prehearing conference. Black Hills Energy states that the August 29, 2008, deadline for filing supplemental direct testimony does not allow sufficient time to adequately prepare the supplemental testimony. Black Hills Energy requests the filing deadline be moved to September 12, 2008.

Black Hills Energy states that the prehearing conference now scheduled for August 26, 2008, would be more useful if it were held during the weeks immediately prior to the hearing scheduled for March 10, 2009.

On August 15, 2008, Consumer Advocate filed a response stating that it had no objection to the motion to extend the filing deadline for Black Hills Energy's supplemental direct testimony.

The Board will grant the motion to issue an expedited order extending the date for filing supplemental direct testimony. The supplemental direct testimony is due on August 29, 2008, and the expedited order is necessary to allow Black Hills Energy sufficient time to adjust its preparation schedule. 199 IAC 7.12 provides that answers to motions may be filed no later than 14 days after a motion is filed, or the time can be shortened by Board order. Consumer Advocate has indicated that it does not object to the extension and the other parties have been contacted and have expressed no objection. Under the modified procedural schedule, Consumer Advocate and the other parties will have sufficient time to prepare and file testimony even with the extension.

Since the parties are scheduled to file a joint statement of the issues on February 23, 2009, the Board will schedule the prehearing conference for February 19, 2009, to allow the parties the opportunity to discuss the issues and other matters before that filing.

**IT IS THEREFORE ORDERED:**

1. The motion for expedited order to extend the filing deadline for supplemental direct testimony filed by Black Hills/Iowa Gas Utility Company, LLC, d/b/a Black Hills Energy (f/k/a Aquila, Inc., d/b/a Aquila Networks), on August 14, 2008, is granted. The filing deadline is now September 12, 2008.

2. The prehearing conference scheduled for August 26, 2008, is rescheduled for February 19, 2009.

**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 21<sup>st</sup> day of August, 2008.