

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>FRIEDA WEEMS</p> <p style="text-align:center">Complainant,</p> <p style="text-align:center">vs.</p> <p>MIDAMERICAN ENERGY COMPANY,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:center">DOCKET NO. C-08-14</p>
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**ORDER DENYING REQUEST FOR
FORMAL COMPLAINT PROCEEDINGS**

(Issued November 3, 2008)

On February 14, 2008, Frieda Weems filed an informal complaint with the Utilities Board (Board) alleging that MidAmerican Energy Company (MidAmerican) had improperly billed EMI, Inc. (EMI), for electric and gas service at properties located in Waterloo, Iowa. Ms. Weems is the representative for EMI at the properties in Waterloo. EMI has one account with MidAmerican for gas and electric service at 123 E. Parker Street and two accounts for gas and electric service at 2127 E. 4th Street address. EMI receives service at 123 E. Parker Street from one electric meter and two gas meters. EMI receives service from an electric and gas meter at each of the two accounts at 2127 E. 4th Street. The informal complaint was identified as C-08-14.

Board staff investigated the bills sent by MidAmerican to EMI and a Board staff safety engineer was present when MidAmerican traced the gas lines on the properties to ensure EMI was not being billed for gas used at another person's property. Based upon the results of its investigation, Board staff on August 25, 2008, sent Ms. Weems and MidAmerican a proposed resolution of the informal complaint. Board staff in the proposed resolution concluded that MidAmerican had correctly billed for service at the four gas meters and three electric meters and no corrections to the bills were necessary.

On September 12, 2008, Ms. Weems indicated she was not satisfied with the proposed resolution and requested the Board institute a formal complaint proceeding against MidAmerican pursuant to Iowa Code § 476.3 and 199 IAC 6.5. Subrule 6.5(2) requires a request for formal complaint proceeding be filed within 14 days of the date the proposed resolution is issued. The time for filing a request for formal complaint by Ms. Weems was extended from September 8, 2008, to September 15, 2008, to allow Ms. Weems the opportunity to provide additional information.

The Board has reviewed the information provided by Ms. Weems and MidAmerican and finds that there are no reasonable grounds for investigating the matter further and the request for a formal complaint proceeding will be denied. The information supports the proposed resolution that MidAmerican correctly billed EMI accounts for electric and gas service at the two locations in Waterloo. Ms. Weems was unable to show where the bills for service had been (or may have been) improperly or incorrectly calculated.

IT IS THEREFORE ORDERED:

The request for a formal complaint proceeding filed by Frieda Weems on behalf of EMI, Inc., on September 12, 2008, is denied.

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 November, 2008.