

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MIDAMERICAN ENERGY COMPANY AND CITY OF MAPLETON, IOWA	DOCKET NO. SPU-08-11
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**ORDER GRANTING DISCONTINUANCE OF SERVICE**

(Issued November 14, 2008)

On October 21, 2008, a joint application for discontinuance of service was filed with the Utilities Board (Board) by MidAmerican Energy Company (MidAmerican) and the City of Mapleton, Iowa (Mapleton), pursuant to 199 IAC 7.1(6). The application states that under the provisions of Iowa Code § 6B.46, Mapleton exercised its power of eminent domain and filed a petition with the Monona County Court of Condemnation to condemn the natural gas distribution system owned and operated by MidAmerican in Mapleton. On September 9, 2008, MidAmerican and Mapleton agreed to a settlement of the damage sustained by the taking of MidAmerican's property, exclusive of certain items and costs which will be resolved at the time of closing. Mapleton wants to take possession of MidAmerican's natural gas distribution system and operate the system for its residents.

Mapleton indicates that it has adopted the necessary ordinances, manuals, and service tariffs for the operation of the gas distribution system and is ready, willing, and able to provide comparable service to the residents of Mapleton. MidAmerican joined in the application but not the allegations concerning Mapleton

having the appropriate ordinances, service rules, and manuals or that Mapleton is ready, willing, and able to operate the natural gas system.

The Board's Safety and Engineering Section staff has been aware of the condemnation action in Mapleton and has been in contact with Mapleton concerning the operation of the system. Board staff has discussed with Mapleton personnel the requirements of Federal regulations concerning gas pipeline safety standards and requirements for operating a natural gas system. Board staff indicates that based upon those discussions, it concludes that Mapleton is ready, willing, and able to operate the gas distribution system. MidAmerican will continue to operate the system until the Board approves the discontinuance.

Iowa Code § 476.20(1) requires a utility to obtain Board permission to discontinue service to a community or part of a community. Board subrule 199 IAC 7.1(6) requires the Board to approve the application for discontinuance of service within 30 days of filing or docket the matter for further investigation. The subrule also provides that the failure of the Board to act within 30 days is deemed approval of the application.

Paragraph 7.1(6)"e" provides that an application for discontinuance of service will be granted if the Board finds the utility service is no longer necessary or if the Board finds the transferee is ready, willing, and able to provide comparable utility service. In this instance, Mapleton has condemned the natural gas distribution system of MidAmerican within the Mapleton corporate limits and Mapleton proposes to operate the system and provide service to Mapleton residents.

Based upon the condemnation of MidAmerican's gas system in Mapleton and the information provided by Board staff, the Board finds that utility service provided by MidAmerican in Mapleton, Iowa, is no longer necessary. The Board also finds that Mapleton is ready, willing, and able to provide natural gas service comparable to that provided by MidAmerican. This application therefore meets the requirements of subrule 7.1(6) for discontinuance of service by MidAmerican and the Board will grant MidAmerican permission to discontinue natural gas service to Mapleton.

**IT IS THEREFORE ORDERED:**

1 The joint application filed by MidAmerican Energy Company and the City of Mapleton, Iowa, on October 21, 2008, for MidAmerican Energy Company to discontinue natural gas service to the City of Mapleton, Iowa, is approved effective on the date that the service obligation is transferred as described herein.

2. The City of Mapleton, Iowa, shall notify the Board within ten days of the date it begins operation of the natural gas distribution system.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Sharon Mayer  
Executive Secretary, Assistant to

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of November, 2008.