

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: ITC MIDWEST, LLC	DOCKET NO. E-21261
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ORDER SUSPENDING HEARING

(Issued December 19, 2008)

On October 21, 2008, the Utilities Board (Board) issued an "Order Scheduling Show Cause Hearing" regarding a transmission line that ITC Midwest, LLC (ITC Midwest), began constructing and relocating without a franchise. The order scheduled a hearing for January 6, 2009.

On December 5, 2008, ITC Midwest filed an offer for compromise. In its offer, ITC Midwest admitted the violation and provided accompanying affidavits explaining the facts and circumstances that resulted in the violation. ITC Midwest requested that the Board determine and assess, without hearing, an amount of civil penalty the Board deems appropriate. On December 12, 2008, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a response indicating it did not object to ITC Midwest's offer to compromise, so long as an appropriate monetary penalty is imposed. Consumer Advocate noted the penalty should be sufficient to impress upon ITC Midwest and the industry the need to review and improve internal procedures.

The Board will suspend the hearing scheduled for January 6, 2009. If after completing its review of the motion and affidavit the Board determines a hearing is required, it will be rescheduled by subsequent order.

IT IS THEREFORE ORDERED:

The show cause hearing scheduled for January 6, 2009, in Docket No. E-21261 is suspended.

UTILITIES BOARD

/s/ John R. Norris

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 19th day of December, 2008.