

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Joint Petition for  
Approval of Transfer of Transmission  
Assets of Interstate Power and Light  
Company and ITC Midwest LLC

**ORDER CONTINUING  
EVIDENTIARY HEARING**

On August 22, 2007, the Department of Commerce (Department) filed A Motion to Strike the Applicants' Rebuttal Testimony, or in the alternative, to continue the hearing set to commence on August 27, 2007, to a later date in order to allow the Department to review, analyze, conduct discovery on, and respond to the Applicants' "Alternative Transaction Adjustment." On the same day the Office of the Attorney General – Residential and Small Business Utilities Division (OAG-RUD) filed a Motion to Continue the Hearing or to Certify the Question to the Public Utilities Commission, requesting that the hearing be postponed for two weeks.

The Energy Cents Coalition supported the request of the OAG-RUD for a two-week postponement in order to allow the parties more time to review the Rebuttal Testimony.

The Joint Applicants objected to any delay in the proceedings, but proposed a limited adjustment to allow for an additional day of hearing on the Alternative Transaction Adjustment to assure that it is fully considered.

On August 24, 2007, the Municipal Coalition requested the opportunity to file Supplemental Testimony of Joe N. Linxwiler

A hearing on the Motions and the Municipal Coalition's request was held on August 27, 2007, at the Department of Education, Conference Center A, 1500 Highway 36 West, Roseville, MN. Appearances at the Motion hearing are reflected in the transcript and will not be repeated here. The parties entered into discussions concerning the pending motions and proposed a delay in the hearing in order to give the Department, the OAG-RUD and other parties the opportunity to more fully review the Joint Applicants' Rebuttal Testimony. That schedule was discussed, and reviewed with the Commission staff. There was no objection to the revised schedule.

There was no objection to the Municipal Coalitions's Request to file Supplemental Testimony of Joe. N. Linxwiler.

Based on the files herein, and for the reasons set forth in the accompanying Memorandum, incorporated herein,

IT IS HEREBY ORDERED:

1. Upon the agreement of the parties, the start of the evidentiary hearing shall be continued to **September 24, 2007**, at the Public Utilities Commission. The hearing will commence at **10:00 a.m.** Parties intending to offer exhibits into the record shall meet with the court reporter at **9:30 a.m.** to have the exhibits marked for identification.

2. The Intervenors may present Surrebuttal Testimony orally at the evidentiary hearing. The Joint Applicants will have the opportunity to present rebuttal to the Surrebuttal, as needed.

3. A telephone conference will be held on **September 20, 2007**, at **1:30 p.m.** to review the scheduling of witnesses and address any prehearing issues.

4. The proposed post-hearing briefing scheduled shall be adjusted as follows:

Joint Applicants' Initial Brief: October 10, 2007;  
Intervenors' Initial Briefs: October 24, 2007;  
Simultaneous Reply Briefs: October 31, 2007.

5. The Municipal Coalition's request to supplement the record with the Supplemental Testimony of Joe N. Linxwiler and associated exhibits is **GRANTED**.

Dated this 28th day of August, 2007

/s/ Beverly Jones Heydinger  
BEVERLY JONES HEYDINGER  
Administrative Law Judge

**MEMORANDUM**

The parties have agreed to adjust the schedule for hearing and filing briefs as set forth in the Order. The revised schedule will allow greater opportunity to review the information that was provided in the week prior to the scheduled start of the hearing and is likely to assure more thorough consideration of that information and a more complete record. By reaching this agreement, the parties have shortened the time to file briefs and shortened the time for the

Administrative Law Judge's report and for the Public Utilities Commission to reach a decision if the proposed sale is to be completed by the end of calendar year 2007. The parties are aware that, despite good intentions, there is no guarantee that the matter can be fully considered and a final order issued prior that date.

**B. J. H.**