



6601 Westown Pkwy, STE 200
West Des Moines, Iowa 50266
515-244-3500
fax: 515-244-3599
www.sullivan-ward.com

direct: 515-247-4710
dpuckett@sullivan-ward.com

John T. Ward
Louis R. Hockenberg
Robert M. Holliday
Mark Landa
Dennis L. Puckett
Samantha J. Gronewald
Kyle A. Kruidenier
Michael J. Green
David J. Hellstern
△ L. Chris Knauf
Amanda A. James

Retired
Michael P. Joynt
Richard R. Chabot

William W. Sullivan
[1919-1999]

John V. Donnelly
[1940-2010]

Also Admitted in:
△ Nebraska

**Law Offices
Sullivan & Ward, P.C.**

September 24, 2015

Executive Secretary
Iowa Utilities Board
1375 E. Court Ave., Room 69
Des Moines, IA 50319-0069

Re: Letter in Lieu of Comments
Iowa Association of Electric Cooperatives
In Re: Wind and Renewable Energy Tax Credits
Docket NOI-2015-0001

Dear Executive Secretary:

By Order issued August 21, 2015, the Board opened an inquiry to address the Chapter 476C tax credit eligibility rules, and specifically the extensions permitted by 199 IAC 15.19(4)(c). The Board's Order indicates that it is concerned that there are facilities on the waiting list that cannot receive preliminary eligibility because there are eligible projects that have previously been approved that have not yet become operational. The Board notes that some projects have had up to 78 months to become operational. The Board solicits comments and responses to certain questions relating to the granting of extensions of the 30 month timeframe within which eligible facilities are supposed to become operational. The Board also asks whether the state should move from a paper approach to an electronic approach for processing tax credit applications.

The Order provided that interested parties may file written comments on or before September 25, 2015. By this letter, the Iowa Association of Electric Cooperatives (IAEC) indicates that it is sympathetic to the Board's need to maintain a queue of pre-approved eligible owners until they become operational or until a facility relinquishes its eligibility and additional capacity becomes available to the next applicant in line. The IAEC recognizes that there are several factors that impact the timing and completion of constructing a renewable energy facility such as those relevant to this inquiry. The IAEC generally supports the possibility of granting extensions using a merit based process to ensure that projects which are not progressing toward operational status be removed from the queue; however, the process needs to be flexible enough to make sure legitimate projects are not penalized for delays beyond their control. Given the lack of available capacity for tax credits, dropping a project out of the current queue of pre-approved eligible projects could cause an otherwise viable project to be cancelled. At this time, the IAEC

**FILED WITH
Executive Secretary
September 24, 2015
IOWA UTILITIES BOARD
NOI-2015-0001**

September 24, 2015

Page 2

has no specific additional comments concerning the Board's questions; but the IAEC looks forward to reviewing the comments submitted by project developers, owners of projects currently in the queue, and other stakeholders. The IAEC reserves the right to respond to comments that may be filed by other parties and to participate in any workshops scheduled in this Docket.

Please contact us if you have questions or comments or questions concerning this letter.

Very truly yours,

SULLIVAN & WARD, P.C.

/s/

Dennis L. Puckett

cc: Regi Goodale, IAEC