

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  INTERSTATE POWER AND LIGHT COMPANY	DOCKET NO. RPU-2009-0002
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**ORDER GRANTING REQUEST FOR CONFIDENTIALITY**

(Issued December 9, 2009)

On December 3, 2009, Interstate Power and Light Company (IPL) filed with the Utilities Board (Board) an application for confidential treatment of certain information filed pursuant to 199 IAC 26.5(5)"e"(6) and (10), which require that IPL file its state and federal tax returns and some of its financial and operating reports on an ongoing basis during a pending rate case proceeding. IPL requested confidential treatment of information labeled Tab 6 (tax returns) and Tab 10 (monthly management and accounting reports). IPL supported the request for confidentiality with an affidavit by a corporate officer and the material for which confidentiality was requested was filed separately. IPL cited Iowa Code §§ 22.7(3) and 22.7(6) (2009) as authority for confidential treatment of the data.

Iowa Code § 422.20 and 199 IAC 1.9(5)"b"(1) requires the Board hold income tax information confidential. Therefore, IPL's federal and state income tax returns will be held confidential.

IPL claims the remaining information is a report to a governmental agency which, if released, would give advantage to competitors and serves no public purpose and, therefore, should be held confidential pursuant to § 22.7(6). IPL states release of the information would harm IPL's competitive position because the internal management reports and financial information contain not only information for IPL but also for other affiliated companies, some of which operate in competitive markets.

The information in question qualifies as a report to a government agency. Based upon the information supplied by IPL, release of such information serves no public purpose. Therefore, the Board will hold the information confidential pursuant to Iowa Code § 22.7(6).

The filed information may also be confidential as a trade secret pursuant to Iowa Code §§ 22.7(3) and 550.2(4). However, because the Board finds the information should be held confidential under § 22.7(6), the Board does not reach the question of whether the information is a trade secret or a communication not required by law.

**IT IS THEREFORE ORDERED:**

1. The request for confidentiality filed by Interstate Power and Light Company on December 3, 2009, is granted.

2. The filed information shall be held confidential by the Board subject to the provisions of 199 IAC 1.9(8)"b"(3).

**UTILITIES BOARD**

/s/ Robert B. Berntsen

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 9<sup>th</sup> day of December, 2009.