



MidAmerican Energy Company
401 Douglas Street
P.O. Box 778
Sioux City, Iowa 51102
712 277-7500 Telephone

June 14, 2004

BY: OVERNIGHT DELIVERY

Ms. Pam Bonrud
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57502

RECEIVED
JUN 15 2004
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: Docket No. EL04-016

Dear Ms. Bonrud:

Please find enclosed for filing the original and 11 copies of a Petition to Intervene Out of Time of MidAmerican Energy Company concerning the above-captioned case.

Please file stamp the extra copy and return in the enclosed self-addressed stamped envelope.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to be "Suzan M. Stewart".

Suzan M. Stewart
Senior Managing Attorney
smstewart@midamerican.com
Voice: (712) 277-7587
Fax: (712) 252-7396

sms/sh
enc.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

RECEIVED

JUN 15 2004

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE COMPLAINT FILED)
BY SUPERIOR RENEWABLE ENERGY LLC)
ET AL., AGAINST MONTANA DAKOTA) Docket No. EL04-016
UTILITIES CO. REGARDING THE)
JAVA WIND PROJECT)

PETITION TO INTERVENE
OUT OF TIME
OF
MIDAMERICAN ENERGY COMPANY

MidAmerican Energy Company ("MidAmerican") hereby petitions the Public Utilities Commission (Commission) to permit MidAmerican to intervene in this proceeding, and in support of its Petition states as follows:

1. On May 12, 2004, Superior Renewable Energy LLC and its wholly owned subsidiary Java LLC (Complainants) filed a complaint with the Commission to resolve a dispute between the Complainants and Montana Dakota Utilities Co. (MDU) with respect to negotiation of a long term electric power purchase agreement. The electricity will be produced and sold pursuant to the Public Utility Regulatory Policy Act of 1978, 16 U.S.C. § 824a-n (2003) ("PURPA") from a Qualified Facility (as defined in PURPA) with a design capacity greater than 100 kilowatts. The Java Wind Project is located in Walworth County, South Dakota.
2. MidAmerican is an investor-owned, rate regulated public utility serving electric customers in the State of South Dakota. As an electric utility serving customers in South

Dakota, MidAmerican is subject to the power purchase obligations of PURPA. Issues of regulatory policy affecting the PURPA purchase power price may arise in this case that affect MidAmerican. MidAmerican wishes to intervene in order to be apprised of such issues of policy and to participate as necessary in their determination. MidAmerican's interests in this proceeding are unique and cannot be fully and adequately represented by the existing parties. MidAmerican and its customers will be directly affected by the issues raised in this proceeding and the outcome of the proceeding.

3. MidAmerican understands that interventions were due in this matter by May 28, 2004, but represents that the grant of its Petition will not prejudice any of the parties to this proceeding, and that it will not result in any delays in the matter.

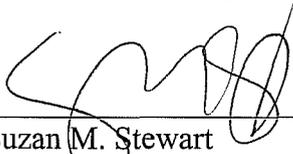
WHEREFORE, MidAmerican respectfully requests that the Commission grant its Petition and allow it to intervene and be granted status of a party to this proceeding.

DATED this 11th day of June, 2004.

Respectfully submitted,

MIDAMERICAN ENERGY COMPANY

By _____


Suzan M. Stewart
Managing Attorney
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smstewart@midamerican.com

Attorney for MidAmerican Energy Company

Certificate of Service

The undersigned does certify that the foregoing Petition to Intervene Out of Time has been served this day upon the following in accordance with the rules of the Public Utilities Commission.

Mark V. Meierhenry
Danforth, Meierhenry & Meierhenry, LLP
315 S. Phillips Avenue
Sioux Falls, SD 57104

Mr. David A. Gerdes
Attorney at Law
May, Adam, Gerdes & Thompson LLP
P.O. Box 160
Pierre, SD 57501-0160

Dated at Sioux City, Iowa this 14th day of June, 2004.