

# IOWA TODAY

**TODAY**  
Friday, Oct. 6

**ENTERTAINMENT**

Entertainment events in Weekend Magazine.

**CONVENTION**

967th QMSC 6th Engineering, Roosevelt Hotel.

**MEETINGS**

8:30 a.m. — Cedar Rapids Airport Commission, board room, Old Terminal Building, Cedar Rapids Municipal Airport.

4 p.m. — Cedar Rapids Community school board, opening negotiating session with Cedar Rapids Education Association, Washington High School IMC.

**CITYLINE Calendar**

Call CITYLINE'S Calendar of Events (Category 8000) for more information: Cedar Rapids, 363-7000; Iowa City, 337-7000.

## Court sends ADM dispute to state

By Dick Hogan  
Gazette courts reporter

A dispute between the state and ADM Corn Sweeteners over its power plant in Cedar Rapids must be considered first by the appropriate state agencies before being taken to court, a Linn District Court judge ruled Thursday.

Judge Lynne Brady dismissed a petition filed by Archer Daniels Midland (ADM) asking review of the Iowa Utilities Board's actions regarding the firm's power plant in Cedar Rapids.

She sustained the Utility Board's contention that administrative remedies had not been exhausted prior to ADM's filing the court action. She sent the case back to the agency for further action.

"In this case there is no

showing of irreparable harm by requiring the petitioner (ADM) to wait for a review of final agency action," Brady's ruling said. ADM attorney Pat Roby said Brady's ruling "is not a ruling on the merits. We continue to believe that ADM is a private producer of its own electricity and not subject to the Utilities Board's jurisdiction."

"We just tried to get the question of their jurisdiction addressed first (in court) so we didn't spend a lot of time addressing something that may not come true," Roby added.

ADM has operated the \$60 million power plant since last year.

Last October the Utilities Board ordered a probe to determine if ADM violated Iowa law requiring

advance state approval for any electric generating plant of 100 or more megawatts.

The company contended then and still does, Roby said, that the law cited applies only to public utilities in Iowa and that ADM's plant is not a public utility.

Last December ADM asked the board to dismiss the case, claiming the agency had no jurisdiction. The board denied the request in April. ADM filed its judicial review petition in May, asking the court to review the board's action, reverse it and instruct the state to dismiss the case.

Roby indicated that if future administrative action by the state is adverse to ADM, it's likely another court action will be filed, again challenging the agency's jurisdiction.

## Fund honors slain Coe student

Mortar Board honor society at Coe College has established a memorial fund to honor slain Coe student Brian Schappert.

Mortar Board's goal is to collect \$1,000 from Coe students, faculty and alumni who live in Cedar Rapids. Collections will continue through the end of the month. Money can be sent to Coe College in care

of Mortar Board.

Each spring, annual interest from the fund will be spent on books to be given in Schappert's memory to Coe's Stewart Memorial Library.

Schappert was murdered Sept. 8 in a robbery at the Cedar Rapids convenience store where he was an overnight clerk.

## HAWKEYE PREGAME WARM UP

**\$1 Bloody Mary or Screwdriver**  
7 am to 11 am Sat., Oct. 7, with any American or Mexican Breakfast.

**DOS GRINGOS**

363-8883

215 Coventry Gardens Mall

## THE LOG

**BURGLARY**

Residence at 2336 Blake Blvd. SE, video recorder, tapes, leather jacket, value \$550, taken between 6:15 and 7:10 p.m. Wednesday; no sign of forced entry.

**THEFT**

Power press, value \$1,500, from a Van Jo Engineering site at Hull Avenue and Ninth Street SE; taken between Sept. 15 and Oct. 1.

**FIRE CALLS**

Tuesday — 10:40 p.m., unknown to trash bin, 3523 J St. SW.

Wednesday — 7:01 a.m., mutual aid, 6505 Edgewood Rd. SW; 8:41 a.m., medical emergency, 1716 Blairs Ferry Rd. NE; 9:09 a.m., medical emergency, 1310 11th St. NW; 2:10 p.m., medical emergency, 1201 Blairs Ferry Rd. NE; 2:18 a.m., medical emergency, 221 Second Ave. SE; 5:04 p.m., medical emergency, 700 block of 10th Street SE; 5:38 p.m., medical emergency, 500 block of Fourth Avenue SE; 9:05 p.m., medical emergency, 519 Seventh St. SE; 9:06 p.m., medical emergency, 860 Camburn Ct. SE; 10:03 p.m., unknown to trash, 214 13th St. SE; 10:45 p.m., medical emergency, 1000 Wenig Rd. NE.

Thursday — 3:18 a.m., candle to combustibles, 1418 B Ave. NW, Apt. 3; 11:11 a.m., investigate odor, 2637 Mount Vernon Rd. SE; 1 p.m., medical emergency, 310 Fifth Ave. SE, Apt. 215; 5:30 p.m., false alarm, 193 Jacolyn Dr. NW.

## Marion boy, 13, hurt in accident

A Marion youth is listed in serious condition with head injuries following a car-bicycle accident Thursday evening in Marion.

Billy Jo Smith, 13, of 595 Sixth Ave., Marion, was riding his bike with a friend, Andy Toomer, 12, of 195 Fifth Ave., Marion, when they collided with a car driven by Travis Albang, 18, of 2618 E Ave. NE, at the intersection of First Avenue and 10th Street, Marion, about 6 p.m., according to the Marion Police Department.

Smith was taken by ambulance to St. Luke's Hospital, where he is listed in serious condition, a hospital spokeswoman said.

Toomer and Albang were not injured. No charges were filed, the police spokesman said.

## 16th Avenue work is starting today

Asphalt resurfacing begins today on 16th Avenue SW, between Highway 30 and Williams Boulevard, according to information released Thursday by the Cedar Rapids Traffic Engineering Department.

The work is part of a project that will take five to six working days.

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2424 18th St. SW 363-2081  
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# JCPenney Days Sale

### FOR HIM:

- **SALE 99.99 - 119.99**  
BUILD-YOUR-OWN SUIT SALE, REG. \$130 - \$165. Towncraft® wool blends and Levi's® Exact™ suits thru Saturday, October 14th. Sportcoats and slacks also sold at savings.
- **SALE 11.99 - 14.99**  
TOWNCRAFT® DRESS SHIRTS, REG. \$16 - \$22. Sale priced thru Saturday, October 14th.
- **25% OFF**  
ALL BUGLE BOY® CASUAL SEPARATES FOR YOUNG MEN. Sale priced thru Monday, October 9th.
- **SALE 19.99**  
ST. JOHN'S BAY® PLAID OXFORD CLOTH SHIRT, REG. \$26. Sale priced thru Monday, October 9th.
- **SALE 14.99**  
ST. JOHN'S BAY® SHAKER KNIT SWEATER, REG. 19.99. Save on tall sizes and striped styles, too. Sale priced thru Monday, October 9th.
- **20% OFF**  
MEN'S UNDERWEAR. Save on Fortrel® polyester/cotton white briefs and tee shirts in packages of 3.
- **SALE \$6**  
COTTON POLO SHIRT, REG. 7.50.



### FOR HER:

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CASUAL OUTERWEAR, LEATHER OUTERWEAR & WOOL TOPPERS.
- **25% OFF**  
ALL FLEECE SPORTSWEAR IN MISSES' SIZES.
- **25% OFF**  
SELECTED COORDINATES IN MISSES' PETITE & WOMEN'S SIZES.
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ALL ALICIA® SPORTSWEAR COORDINATES FOR MISSES. Petite and women's sizes also on sale.
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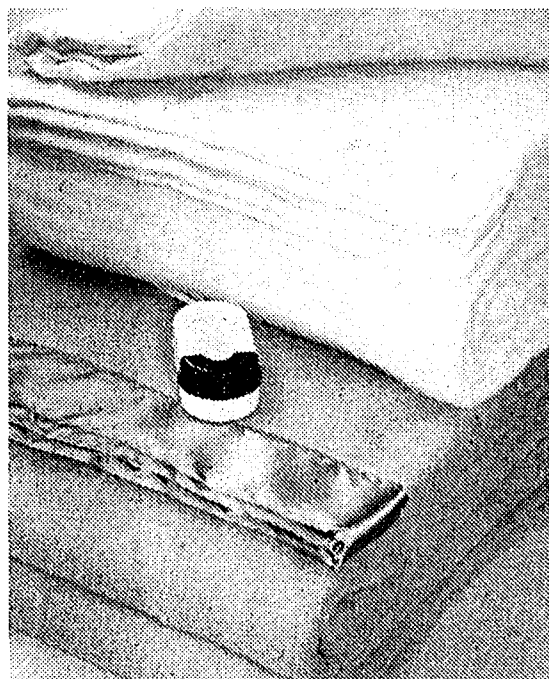
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- **25% OFF**  
ALL WARM OUTERWEAR FOR BIG AND LITTLE BOYS AND GIRLS. Sale priced thru Saturday, October 14th.
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ALL LEVI'S® DENIM JEANS IN BOYS' SIZES. Husky sizes available in most larger stores.
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ALL FLEECE JOG SETS FOR BOYS AND GIRLS.
- **25% OFF**  
BOYS' AND GIRLS' ACRYLIC SWEATERS IN SOLIDS & PATTERNS. Sale priced thru Saturday, October 14th.
- **25% - 40% OFF**  
NEW MOVES® AND SURE FUN® PAIR-UPS FOR GIRLS. Sale priced thru Saturday, October 14th.



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OUR ENTIRE COLLECTION OF TOASTY WARM BLANKETS. Sale priced thru Saturday, October 14th.
- **SALE 6.99**  
DAC II® MEDIUM SUPPORT ANY SIZE, REG. 7.99 - 14.99. Sale priced thru Saturday, October 14th.
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OUR ENTIRE COLLECTION OF COMFORTABLE BEDPILLOWS. Sale priced thru Saturday, October 14th.
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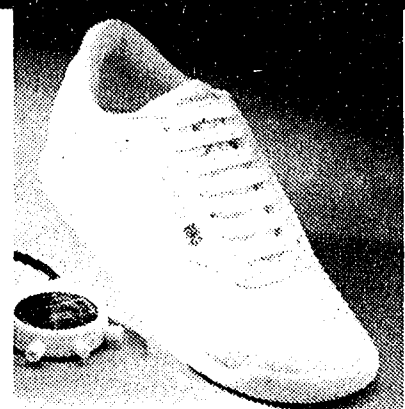
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WIZARD LEATHER BASKETBALL SHOE FOR MEN, REG. 59.99.



**SALE 59.99**

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**SALE 34.99**

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# JCPenney