

**CHAPTER 1178****RESALE POWER GROUP OF IOWA LEGALIZING ACT***H.F. 2470*

**AN ACT** to legalize and validate the proceedings for the organization and operation of the Resale Power Group of Iowa and declaring it to be legally established and declaring each and all of its acts to have been legally taken and declaring each and all of the actions taken by the Resale Power Group of Iowa and by the City of Burt, City of Dike, City of Dysart, City of Long Grove, City of Maquoketa, City of Marathon, City of Panora, City of Preston, City of Sibley, City of Stanhope, City of State Center, City of Tipton, City of West Liberty, City of Whittemore, City of Anita, City of Hopkinton, City of Grand Junction, City of Ogden, City of Story City, City of Traer, City of Vinton, the Amana Society Service Company, Amana, and the Board of Directors of the Farmers Electric Cooperative, Kalona, all in Iowa, in entering into, ratifying and confirming an agreement between the Resale Power Group of Iowa and its members dated November 3, 1987 and a certain joint transmission agreement dated November 3, 1987, to have been legally taken.

WHEREAS, proceedings have been taken for the organization of the Resale Power Group of Iowa under the provisions of chapter twenty-eight E (28E) of the Code for the purpose of the purchase, generation, transmission, sale and interchange of electric energy for its members, the establishment of programs for the safety and technical training of employees of its members and to render service relative to the solution of problems relating to rates for electric energy and related items; and

WHEREAS, a copy of the Agreement to Establish the Resale Power Group of Iowa was filed with the Secretary of State of the State on August 8, 1986, has been recorded with the appropriate county recorders and the following public and private agencies operating electric utilities are current members in good standing of the organization: the City of Burt, City of Dike, City of Dysart, City of Long Grove, City of Maquoketa, City of Marathon, City of Panora, City of Preston, City of Sibley, City of Stanhope, City of State Center, City of Tipton, City of West Liberty, City of Whittemore, City of Anita, City of Hopkinton, City of Grand Junction, City of Ogden, City of Story City, City of Traer, City of Vinton, the Amana Society Service Company, Amana, and the Board of Directors of the Farmers Electric Cooperative, Kalona, all in Iowa; and

WHEREAS, the Resale Power Group of Iowa did on November 3, 1987, enter into an agreement with its participating members, which agreement relates to and forms a part of a certain joint transmission agreement (referred to as the "Joint Transmission Agreements"); and

WHEREAS, the Resale Power Group of Iowa has, on behalf of its participating members, entered into a Joint Transmission Agreement, dated November 3, 1987, with Iowa Electric Light and Power Company for the purpose of obtaining undivided ownership in certain transmission facilities thereby obtaining electric energy at reduced costs delivered through such jointly owned transmission facilities; and

WHEREAS, the Resale Power Group of Iowa and all participating members have taken action pursuant to chapters three hundred ninety (390) and twenty-three (23) of the Code as amended, to ratify and confirm the Joint Transmission Agreements pursuant to chapter three hundred ninety (390) of the Code, as amended; and

WHEREAS, the aforementioned documents together now purport to form a joint agreement pursuant to chapter three hundred ninety (390) of the Code, as amended; and

WHEREAS, the aforementioned documents are a cooperative effort between public and private utilities within the state which will result in lower cost power to consumers of electric power; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of the proceedings taken for the organization and operation of the Resale Power Group of Iowa and the acts taken by the Resale Power Group of Iowa and its participating members in entering into, ratifying and confirming the joint agreement and it is deemed advisable and necessary to put such doubts and all others that might arise concerning same forever at rest; NOW THEREFORE,

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That all proceedings heretofore taken in connection with the organization and providing for the operation of the joint undertaking now known and identified as the "Resale Power Group of Iowa" and all acts heretofore taken by said Resale Power Group of Iowa and its members, be and the same are hereby legalized, validated and confirmed, and the documents together are hereby declared to form a valid joint agreement pursuant to chapter three hundred ninety (390) of the Code, as amended; and the Joint Transmission Agreements between the Resale Power Group of Iowa and Iowa Electric Light and Power Company are hereby legalized, validated and confirmed. Further, that the Resale Power Group of Iowa is hereby declared to constitute a legal joint and cooperative undertaking authorized to operate in accordance with the Agreement to Establish the Resale Power Group of Iowa and its by-laws as they now exist and in accordance with provisions of chapter twenty-eight E (28E) of the Code.

Sec. 2. This Act, being deemed of immediate importance, is effective upon enactment.

Approved May 6, 1988

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## CHAPTER 1179

### ENERGY RESOURCE UTILIZATION AND CONSERVATION

*H.F. 2437*

**AN ACT** relating to utilization of energy resources in the state including the implementation of energy conservation measures.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 93.6 FINDINGS.**

The general assembly finds that the health, welfare, and prosperity of all Iowans require the provisions of adequate, efficient, reliable, environmentally safe, and least-cost energy at prices which accurately reflect the long-term cost of using such energy resources and which are equitable to all Iowans. The goals and objectives of this policy are to ensure the following:

1. **EFFICIENCY.** The provision of reliable energy at the least possible cost to Iowans in such manner that:

a. Physical, human, and financial resources are allocated efficiently.

b. All supply and demand options are considered and evaluated using comparable terms and methods in order to determine how best to meet consumers' demands for energy at the least cost.

2. **ENVIRONMENTAL QUALITY.** The protection of the environment from the adverse external costs of an energy resource utilization so that:

a. Environmental costs of proposed actions having a significant impact on the environment and the environmental impact of the alternatives are identified, documented, and considered in the resource development.

b. The prudently and reasonably incurred costs of environmental controls are recovered.