

### **478.3 Petition requirements.**

1. All petitions shall set forth:

- a. The name of the individual, company, or corporation asking for the franchise.
- b. The principal office or place of business.
- c. The starting points, routes, and termini of the proposed lines, accompanied with a map or plat showing such details.
- d. A general description of the public or private lands, highways, and streams over, across, or along which any proposed line will pass.
- e. General specifications as to materials and manner of construction.
- f. The maximum voltage to be carried over each line.
- g. Whether or not the exercise of the right of eminent domain will be used and, if so, a specific reference to the lands described in paragraph "d" which are sought to be subject thereto.
- h. An allegation that the proposed construction is necessary to serve a public use.

2. Petitions for transmission lines capable of operating at sixty-nine kilovolts or more and extending a distance of not less than one mile across privately owned real estate shall also set forth an allegation that the proposed construction represents a reasonable relationship to an overall plan of transmitting electricity in the public interest and substantiation of such allegations, including but not limited to, a showing of the following:

- a. The relationship of the proposed project to present and future economic development of the area.
- b. The relationship of the proposed project to comprehensive electric utility planning.
- c. The relationship of the proposed project to the needs of the public presently served and future projections based on population trends.
- d. The relationship of the proposed project to the existing electric utility system and parallel existing utility routes.
- e. The relationship of the proposed project to any other power system planned for the future.
- f. The possible use of alternative routes and methods of supply.
- g. The relationship of the proposed project to the present and future land use and zoning ordinances.
- h. The inconvenience or undue injury which may result to property owners as a result of the proposed project.

The utilities board may waive the proof required for such allegations which are not applicable to a particular proposed project.

The petition shall contain an affidavit stating that informational meetings were held in each county which the proposed project will affect and the time and place of each meeting.

3. For the purpose of this section, the term "*public*" shall not be interpreted to be limited to consumers

located in this state.

[S13, § 2120-n; C24, 27, 31, 35, 39, § **8311**; C46, 50, 54, 58, 62, 66, 71, 73, 75, § 489.3; C77, 79, 81, § 478.3]

94 Acts, ch 1136, §3; 2001 Acts, 1st Ex, ch 4, §34, 36; 2002 Acts, ch 1048, §3, 5