

390.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. “*Acquisition*” of a joint facility includes the purchase, lease, construction, reconstruction, extension, remodeling, improvement, repair, and equipping of the joint facility.
2. “*City*” means a municipal corporation, but not including a county, township, school district or special purpose district or authority.
3. “*City utility*” has the same meaning provided in section 362.2, subsection 6, and includes a “*combined utility system*”, as defined in section 384.80, which operates facilities for the generation or transmission of electric energy.
4. “*Electric cooperative*” means a cooperative association which owns and operates property for generating, purchasing, obtaining by exchange or otherwise acquiring, or transmitting electric power and energy.
5. “*Governing body*” means the public body which by law is charged with the management and control of a city utility as defined in section 384.80, subsection 5.
6. “*Joint agreement*” means an agreement of participants pursuant to the provisions of this chapter. A joint agreement may be one or more documents, and may be entitled joint agreement, agreement, contract or otherwise.
7. “*Joint facility*” means all property necessary or useful for generating, purchasing, obtaining by exchange or otherwise acquiring, or transmitting electric power and energy, which is owned and operated pursuant to a joint agreement.
8. “*Or*” includes the conjunctive “*and*” and “*and*” includes the disjunctive “*or*”, unless the context clearly indicates otherwise.
9. “*Own*” and “*ownership*” in the case of transmission facilities, including substations and associated facilities, may include the right to the use of an amount of the capacity of the facilities, if the joint agreement so provides. “*Own*” and “*ownership*” may include a joint facility located in this state or outside this state.
10. “*Participant*” means a city, electric cooperative or privately owned utility company which is a party to a joint agreement.

[C75, 77, 79, 81, §390.1]

84 Acts, ch 1251, §1; 2012 Acts, ch 1065, §1

Referred to in §23A.2, 352.6, 390.9, 476.22