

478.6A Merchant line franchises — requirements — limitations.

1. For purposes of [this section](#), “*merchant line*” means a high-voltage direct current electric transmission line which does not provide for the erection of electric substations at intervals of less than fifty miles, which substations are necessary to accommodate both the purchase and sale to persons located in this state of electricity generated or transmitted by the franchisee.

2. Notwithstanding [section 478.21](#), in addition to any other applicable requirements pursuant to [this chapter](#), if a petition for a franchise to construct a merchant line that involves the taking of property under eminent domain is not approved by the board and a franchise granted within three years following the date the petition is filed with the board pursuant to [section 478.3](#), the board shall reject the petition and make a record of the rejection. If the hearing on the petition conducted pursuant to [section 478.4](#) has been held within the three-year period following the date the petition is filed, but the board has not completed its deliberations within that three-year period, the three-year period may be extended by the board to allow completion of deliberations. A petitioner shall not file a petition for the same or a similar project that has been rejected within sixty months following the date of rejection if the rejection was for failure to be approved within three years following the date the petition was filed as provided in [this subsection](#).

[2016 Acts, ch 1129, §9](#); [2016 Acts, ch 1138, §37 – 39](#); [2017 Acts, ch 29, §136](#)

Referred to in [§6A.21](#)

Section takes effect May 27, 2016, and applies to petitions filed on or after that date and to certain petitions filed on or after November 1, 2014; for nonapplicability of three-year approval period in subsection 2 to petitions filed prior to May 27, 2016, and to time limitations on actions of the Iowa utilities board, see [2016 Acts, ch 1138, §38, 39](#)

Subsection 2 amended