

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 is proposed to be constructed above ground and involves the taking of property under eminent domain is not approved by the commission and a franchise granted within three years following the date the petition is filed with the commission pursuant to [section 478.3](#), the commission 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 commission has not completed its deliberations within that three-year period, the three-year period may be extended by the commission 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](#); [2023 Acts, ch 164, §2, 3](#); [2024 Acts, ch 1170, §369](#)

Referred to in [§6A.21, 364.2](#)

2023 amendment to subsection 2 applies retroactively to a petition for a franchise submitted on or after September 1, 2020; 2023 Acts, ch 164, §3

Code editor directive applied