

478.6 Taking under eminent domain.

1. Upon the filing of objections or when a petition involves the taking of property under the right of eminent domain, the utilities commission shall set the matter for hearing and fix a time and place for the hearing. The hearing shall be not less than thirty days from the date of last publication and, where a new proposed transmission line exceeds one mile in length, shall be held in the county seat of the county located at the midpoint of the proposed electric transmission line. Written notice of the time and place of the hearing shall be served by the commission, by ordinary mail, on the applicant, and those having filed objections. If no objections are filed and the petition does not involve the taking of property under the right of eminent domain, the commission may grant a franchise without a hearing; however, the commission may conduct a hearing if the commission deems it necessary.

2. Where a petition seeks the use of the right of eminent domain over specific parcels of real property, the commission shall prescribe the notice to be served upon the owners of record and parties in possession of the property over which the use of the right of eminent domain is sought. The notice shall include the statement of individual rights required pursuant to [section 6B.2A, subsection 1](#).

3. When the commission grants a franchise to any person, company, or corporation for the construction, erection, maintenance, and operation of transmission lines, wires, and cables for the transmission of electricity, such person, company, or corporation shall be vested with the power of condemnation to such extent as the commission may approve and find necessary for public use.

[C66, 71, 73, 75, §489.6; C77, 79, 81, §478.6; [81 Acts, ch 159, §1](#)]

[2000 Acts, ch 1179, §23, 30](#); [2018 Acts, ch 1041, §127](#); [2024 Acts, ch 1170, §369](#)