

199—10.7(479) Pipeline permit.

10.7(1) A pipeline permit shall be issued once an order granting the permit is final and all the compliance requirements have been met. A pipeline company may request commission approval to delay obtaining consent to cross railroad right-of-way until after the pipeline permit is issued.

10.7(2) The issuance of the permit authorizes construction on the route or location as approved by the commission, subject to deviation within the permanent route easement right-of-way. If a deviation outside of the permanent route easement right-of-way becomes necessary, construction of the pipeline in that location shall be suspended and the pipeline company shall follow the procedures for filing of a petition for amendment of a permit, except that the pipeline company need only file Exhibits A, B, E, and F reflecting the proposed deviation. In case of any deviation from the approved permanent route easement, the pipeline company shall secure the necessary easements before construction may commence on the altered route. The right of eminent domain shall not be used to acquire any such easement except as specifically approved by the commission, and a hearing will not be required unless the commission determines a hearing is necessary to complete review of the petition for amendment.

10.7(3) If the construction of facilities authorized by a permit is not commenced within two years of the date the permit is granted, or within two years after final disposition of judicial review of a permit order or of condemnation proceedings, the permit shall be forfeited unless the commission grants an extension of the permit filed prior to the expiration of the two-year period.

10.7(4) Upon completion of the proposed construction, maps accurately showing the final routing of the pipeline, in compliance with 199—Chapter 9 and revised Exhibits A, B, and C, shall be filed with the commission.

10.7(5) The commission shall set the term of the permit. The term of the permit may be less than, but shall not exceed, 25 years from the date of issuance.

[ARC 4957C, IAB 2/26/20, effective 4/1/20; Editorial change: IAC Supplement 7/24/24]