

199—24.6(476A) Procedural schedule.

24.6(1) Upon acceptance of the application, the commission shall establish a schedule for the certification proceeding which shall include:

a. A hearing to be commenced in accordance with rule 199—24.8(476A), no earlier than 90 days nor later than 150 days from the date of acceptance. This hearing shall be conducted in the county in which the construction of the greater portion of the facility is being proposed.

b. Provision for the publication of notice of the schedule for the hearing held by the commission in the form provided in Iowa Code section 17A.12(2), which notice shall be published in a newspaper of general circulation in each county in which the proposed site is located once each week for two consecutive weeks with the second publication being no later than 30 days after acceptance of the application.

24.6(2) The commission shall serve notice of the acceptance of the application and proceeding schedule upon the following:

a. All regulatory agencies, including Iowa department of transportation and the Iowa department of natural resources.

b. Interested agencies as determined by the commission, including the office of state archaeologist and the office of historical preservation of the state historical society of Iowa.

c. County and city zoning authorities from the area in which the proposed site is located; and

d. All owners of record of real property located within one mile of the intersection of the transverse center-line axis and longitudinal center-line axis of the generator, or all such generator axis intersections where the proposed facility includes multiple generators, and all owners of record of real property located within 1000 linear feet of the proposed boundary, but outside any such one-mile radius.

e. All lessees of record of real property of one acre or more located within the site boundary or within 1000 linear feet outside of the proposed site boundary.

f. Owners and lessees of real property for which the applicant seeks the power of eminent domain.

g. Other interested persons as determined by the commission.

24.6(3) Status of notice recipient.

a. Those receiving notice under 24.6(2) “*a*” shall be deemed parties to the proceeding.

b. Such notice provided under 24.6(2) “*b*,” “*c*,” “*d*,” “*e*” or “*f*” shall state that the recipient shall have the right to become an intervenor upon duly filing written notice of intervention.

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