

199—11.8(478) Petition for extension of franchise.

11.8(1) *Petition and exhibits.* A petition for an extension of a franchise shall be made on forms prescribed by the commission; attested to by an officer, official, or attorney with authority to represent the electric company; and have all required exhibits attached. For a transmission line that extends into more than one county, the electric company may file a petition to combine the separate county franchises into one franchise for the entire transmission line.

a. Exhibit A. A legal description of the route. The description shall include the name of the county, the maximum and nominal voltages, the beginning point and endpoint of the transmission line, the termini of the transmission line, the total mileage, and whether the route is on public, private, or railroad right-of-way. When the route is in or adjacent to the right-of-way of a named road or a railroad, the exhibit shall identify the road or railroad by name. The description shall identify any termini located in other counties.

b. Exhibit B. A map showing the route of the transmission line drawn with reasonable accuracy, considering the scale. The map may be to any scale appropriate for the level of detail to be shown but not smaller than one inch to the mile and legible when printed on paper no larger than 11 by 17 inches. The following information shall be provided:

(1) The route of the transmission line that is the subject of the petition, including beginning point and endpoint and, when the transmission line is parallel to a road or railroad, which side the line is on. Line sections with multiple-circuit construction or underbuild shall be designated. The voltage at which other circuits are operated and ownership of other circuits or underbuild shall be indicated.

(2) The name of the county, county and section lines, section numbers, and township and range numbers.

(3) The location and identity of roads, railroads, named streams and bodies of water, and any other pertinent natural or man-made features or landmarks influencing the route.

(4) The names and corporate limits of cities.

(5) The location and identity of electric transmission lines that cross the route.

(6) The locations of any buildings and any grain bins for which a conductor clearance drawing is provided as part of Exhibit C.

c. Exhibit C. Technical information and engineering specifications describing typical materials, equipment and assembly methods as specified on forms provided by the commission.

d. Exhibit D. The exhibit shall consist of a written text containing the following:

(1) A listing of all existing franchises for which extension in whole or in part is sought, including the docket number, franchise number, date of issue, county of location, and to whom granted.

(2) A listing of all amendments to the franchises listed in subparagraph 11.8(1)“d”(1), including the docket number, amendment number, date of issue, and purpose of the amendment.

(3) A description of any substantial rebuilds, reconstructions, alterations, relocations, or changes in operation not included in a prior franchise or amendment proceeding.

(4) A description of any changes in ownership or operating and maintenance responsibility.

(5) An allegation, with supporting testimony, that the transmission line remains necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the public interest.

(6) Any other information or explanation in support of the petition.

11.8(2) *Date for filing petition for extension.* A petition for an extension of a franchise shall be filed at least one year, and no more than five years, prior to expiration of the franchise. Extensions of existing countywide franchises are permitted; however, petitions to extend the franchises of separate transmission lines within a county by combining those transmission lines into a countywide franchise are not permitted using the franchise extension process.

11.8(3) *When petition for extension unnecessary.* An extension of franchise is unnecessary for an electric line that is capable of operating at 69 kV or more when the electric line has been permanently retired from operation and the commission has been notified of the retirement. The notice to the commission shall include the franchise number and issue date, the docket number, and, if the entire franchised line is not retired, a map showing the location of the portion retired.

11.8(4) *Petition for extension of countywide franchise.* A petition for an extension of a countywide franchise shall include all of the franchised lines owned by the electric company and within one county and a statement of whether the published notice will contain a legal description of the route or will include a telephone number and an address through which persons may request a map from the electric company at no cost. The map shall comply with the requirements in subrule 11.8(6). A copy of this map shall be filed with the petition.

11.8(5) *Notice of petition for extension.* Whenever a petition for an extension of a franchise is filed with the commission, the commission shall prepare a notice addressed to the citizens of each county through which the transmission line or lines extend. The electric company shall cause this notice to be published for two consecutive weeks in a newspaper of general circulation in each county where the proposed line is to be located. Proof of publication shall be filed with the commission. This published notice shall constitute sufficient notice to all affected persons where the existing line is located.

11.8(6) *Maps in published notice.* Published notices of petitions for franchise shall include provisions whereby interested persons can examine a map of the route. When the petition is filed, the electric company shall state whether a map is to be published with the notice or whether the notice is to include a telephone number and an address through which persons may request a map from the electric company at no cost. The map required by this subrule need not be as detailed in the Exhibit B map but shall include the proposed route, section lines, section and township numbers, roads and railroads, city boundaries, and rivers and named bodies of water. A copy of this map shall be filed with the petition.

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