

199—11.9(478) Additional requirements.

11.9(1) *Segmental ownership or joint use.* Petitions covering transmission line routes having segments of the total transmission line with different owners shall establish that the entire transmission line is necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the public interest. Such a petition shall include documentation showing that the different owners have agreed to the construction being proposed in the petition. Additionally, petitions covering transmission line routes with segments of an existing transmission line being relocated to common poles with the proposed new transmission line shall establish that the existing line continues to be necessary to serve a public use and represents a reasonable relationship to an overall plan of transmitting electricity in the public interest. Such a petition shall include documentation showing that the owners of the two transmission lines have agreed to the joint use of the poles for the proposed new transmission line.

11.9(2) *Compliance with Iowa electrical safety code.* If review of Exhibit C, or inspection of an existing electric line that is the subject of a franchise petition, finds noncompliance with 199—Chapter 25, the Iowa electrical safety code, the commission may delay final action on the petition or otherwise require a satisfactory showing by the electric company that the areas of noncompliance have been or will be corrected. Disputed safety code compliance issues will be resolved by the commission.

11.9(3) *Statement of damage claims.*

a. A petition proposing transmission line construction shall not be acted upon by the commission if the electric company does not file with the commission a written statement as to how damages resulting from the construction of the transmission line will be determined and paid.

b. The statement shall contain the following information: the type of damages that will be compensated for, how the amount of damages will be determined, the procedures by which disputes may be resolved, the manner of payment, and the procedures that the affected persons are to follow to obtain a determination of damages.

c. The statement shall be amended as necessary to reflect changes in the law, company policy, or the needs of a specific project.

d. A copy of this statement shall be mailed with the notice of informational meeting as provided for in Iowa Code section 478.2(3). Where no informational meeting is required, a copy shall be provided to each affected person prior to entering into negotiations for payment of damages.

e. Nothing in this rule shall prevent a person from negotiating with the electric company for terms that are different from, more specific than, or in addition to those in the statement filed with the commission.

11.9(4) *Route study.* If a hearing on a petition is required by Iowa Code section 478.6(1), an electric company shall file a route study, if conducted, with the commission at the earlier of either the electric company's next revised petition filing or its testimony in support of the petition after the commission orders a hearing.

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