

199—13.4(479,479B) Notice of hearing.

13.4(1) When a petition for permit is filed with the commission, the petition will be reviewed by the commission. Once the commission has completed its review of the proposed pipeline and petition, the petition may be set for hearing. This subrule does not apply to renewal petitions filed pursuant to rule 199—13.8(479,479B), which may not require a hearing.

13.4(2) The pipeline company will be furnished copies of the official notice of hearing, which the pipeline company shall cause to be published once each week for two consecutive weeks in a newspaper of general circulation in each county in or through which construction is proposed. The second publication cannot be less than 10 and no more than 30 days prior to the date of the hearing. Proof of publication will be filed with the commission prior to the hearing.

13.4(3) The published notice will include a map showing either the pipeline route or the area affected by underground hazardous liquid storage, or a telephone number and an address through which interested persons may obtain a copy of a map from the pipeline company at no charge. If a map other than that filed as Exhibit B will be published or provided, a copy will be filed with the petition.

13.4(4) If a petition for permit seeks the right of eminent domain, the pipeline company shall, in addition to the published notice of hearing, serve a copy of the notice of hearing on the landowners and any affected person with an interest in the property over which eminent domain is sought. A copy of the Exhibit H filed with the commission for the affected property will accompany the notice. Service shall be by certified United States mail, return receipt requested, addressed to the person's last-known address, and this notice shall be mailed no later than the first day of publication of the official notice of hearing on the petition. Not less than five days prior to the date of the hearing, the pipeline company will file with the commission a certificate of service showing all persons and addresses to which notice was sent by certified mail, the date of the mailing, and an affidavit that all affected persons were served.

13.4(5) If a petition does not seek the right of eminent domain, but all required interests in private property have not yet been obtained sixty days prior to the hearing, a copy of the notice of hearing shall be served upon any affected person with interests in the property. Service shall be by certified mail, addressed to the last-known address, and mailed no later than the first day of publication of the official notice. A copy of each letter of notification, or one copy of the letter accompanied by a written statement listing all persons to whom the notice was mailed, the date of mailing, and an affidavit that all affected persons were served, will be filed with the commission not less than five days prior to the hearing.

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