

199—24.12(476A) Issuance of a certificate.

24.12(1) General. The certificate shall authorize construction, maintenance, and operation of the facility on the site designated in the certificate according to the following:

- a. The terms and conditions imposed by the commission and stated in the certificate.
- b. The terms and conditions in licenses and permits issued by regulatory agencies before and during the proceeding.
- c. The terms and conditions that have been specifically recommended by regulatory agencies in the proceeding and declared by those regulatory agencies or the commission as being necessary for the applicant to comply with requirements of licenses or permits then sought but not yet issued.

24.12(2) Eminent domain. The certificate shall give the applicant the power of eminent domain to the extent and under such conditions as the commission approves, prescribes, and finds necessary for the public convenience, use, and necessity, proceeding in the manner of works of internal improvement under Iowa Code chapter 6B.

24.12(3) Certificate transfer. A certificate may be transferred, subject to the approval of the commission, to a person who agrees to comply with the terms of the certificate including any amendments to the certificate. Certificates shall be transferable by operation of law to any receiver, trustee or similar assignee under a mortgage, deed of trust or similar instrument.

24.12(4) Application withdrawal. Pursuant to Iowa Code section 476.53, a rate-regulated utility shall have the option of withdrawing its application for issuance of a certificate.

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