

**199—11.1(478) General information.**

**11.1(1) Authority.** The standards pertaining to electric transmission lines in this chapter are prescribed by the Iowa utilities board pursuant to Iowa Code sections 478.18(1), 478.19 and 478.20. This chapter shall apply to any individual, company, corporation, or city engaged in the construction, operation, and maintenance of electric transmission lines to the extent provided in Iowa Code chapter 478.

**11.1(2) Purpose.** The purpose of this chapter is to establish standards for electric franchise proceedings before the Iowa utilities board.

**11.1(3) Iowa electrical safety code.** Overhead and underground electric supply line minimum requirements to be applied in installation, operation, and maintenance are found in 199—Chapter 25, Iowa electrical safety code.

**11.1(4) Date of filing.** A petition for franchise shall be considered filed with the board on the date of the United States Postal Service postmark if the filing is made by mail, or on the date received at the board's records center if the filing is made in person or sent other than by United States mail.

**11.1(5) Franchise —when required.** An electric franchise shall be required for the construction, operation, and maintenance of any electric line which is capable of operating at 69,000 volts or more outside of cities, except that a franchise is not required for electric lines located entirely within the boundaries of property owned by an electric company or an end user.

**11.1(6) Definitions.** For the administration and interpretation of this chapter, the following words and terms, when used in these rules, shall have the meanings indicated below:

“Board” means the utilities board within the utilities division of the department of commerce.

“Capable of operating” shall mean the standard voltage rating at which the line, wire or cable can be operated consistent with the level of the insulators and the conductors used in construction of the line, wire, or cable based on manufacturer's specifications, industry practice, and applicable industry standards.

**11.1(7) Route selection.** The planning for a route that is the subject of a petition for franchise must begin with routes that are near and parallel to roads, railroad rights-of-way, or division lines of land, according to the government survey, consistent with the provisions of Iowa Code section 478.18(2). When a route near and parallel to these features has points where electric line construction is not practicable and reasonable, deviations may be proposed at those points, when accompanied by a proper evidentiary showing, generally of engineering reasons, that the initial route or routes examined did not meet the practicable and reasonable standard. Although deviations based on landowner preference or minimizing interference with land use may be permissible, the petitioner must be able to demonstrate that route planning began with a route or routes near and parallel to roads, railroad rights-of-way, or division lines of land.

Further, no transmission line shall be constructed outside of cities, except by agreement, within 100 feet of any dwelling house or other building, except where such line crosses or passes along a public highway or is located alongside or parallel with the right-of-way of any railroad company, consistent with the provisions of Iowa Code section 478.20.

**11.1(8) Railroad crossings.** Where a petition for temporary construction permit is made as provided for in Iowa Code section 478.31, an affidavit filed by the petitioner which states that proper application for approval of railroad crossing has been made, that a one-time crossing fee has been paid as provided for in rule 199—42.3(476) and that 35 days have passed since mailing of the application and payment with no claim of special circumstance or objection from the railroad will be accepted as a showing of railroad approval for the crossing.