

199—11.6(478) Petition for an amendment to a franchise. A petition for an amendment of a franchise shall include the same exhibits and information required for a new franchise as described in rule 199—11.5(478). Prior to the filing of any petition for an amendment to a franchise where an electric company must obtain new or additional interests in real property for a total of one route mile or more, informational meetings shall be held which meet the requirements of 199—11.4(478).

11.6(1) When a petition for amendment is required. A petition for amendment of a franchise shall be filed with the board for approval when the electric company is:

a. Increasing the operating voltage of any electric line, the level to which it is capable of operating, or to a voltage greater than that specified in the existing franchise.

b. Constructing an additional line which is capable of operating at a nominal voltage of 69 kV or more on a previously franchised line, where an additional line at such voltage is not authorized by the existing franchise.

c. Relocating a franchised line to a route different from that authorized by an existing franchise, including the construction of tap(s) to a substation or switching station, which requires that new or additional interests in property be obtained, or that new or additional authorization be obtained from highway or railroad authorities, for a total distance of one route mile or more, or for any relocations where the right of eminent domain is sought. An amendment is not required for relocations made pursuant to Iowa Code section 318.9(2).

11.6(2) When a new transmission line is proposed in a county where the electric company has a countywide franchise for all of the electric company's transmission lines in a county, the new transmission line will be included in the countywide franchise as an amendment to the countywide franchise.

11.6(3) When an existing franchise in a county is proposed to be combined with another existing franchise in a county, a petition for an amendment of the franchise with the latest expiration date shall be filed to combine the transmission lines into one of the existing franchises.

11.6(4) An amendment to a franchise shall not be required for a voltage increase, additional circuit, or electric line relocation where such activity takes place entirely within the boundaries of property owned by an electric company or an end user.

11.6(5) Notice of a petition for franchise amendment. Notice of a petition for an amendment to a franchise shall be the same notice that is required for a petition for a new franchise as described in rule 199—11.5(478).

11.6(6) Eminent domain notice. If an electric company is requesting the right of eminent domain over property as part of a petition for amendment of a franchise, notice shall be provided pursuant to subrule 11.10(1).

[ARC 5121C, IAB 7/29/20, effective 9/2/20; see Delay note at end of chapter; ARC 7014C, IAB 5/17/23, effective 6/21/23]