

2-18-97 Commerce
3-26-97 No Pass
5-4/10/97 Unfinished Business Calendar

FEB 13 1997

Place On Calendar

HOUSE FILE 229
BY COMMITTEE ON COMMERCE
AND REGULATION

(SUCCESSOR TO HSB 92)

Passed House, Date 2-18-97 ^(P. 345) Passed Senate, Date 4-14-97 (p. 1152)
Vote: Ayes 100 Nays 0 Vote: Ayes 45 Nays 0
Approved April 22, 1997

A BILL FOR

1 An Act relating to the availability of a map indicating the
2 location of electric transmission lines related to the
3 extension of a franchise.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 229

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HF 229

1 Section 1. Section 478.13, unnumbered paragraph 1, Code
2 1997, is amended to read as follows:

3 Any person, firm, or corporation owning a franchise granted
4 under this chapter or previously existing law, desiring to
5 acquire extensions of such franchise, may petition the
6 utilities board in the manner provided for the granting of a
7 franchise and the ~~same~~ proceeding shall be had conducted in
8 the same manner as on an original application, including the
9 assessing of costs provided by section 478.4 except-that-in
10 the-event. If the extension of franchise is sought for all
11 lines in a given county or counties, the published notice need
12 not contain a general description of the lands and highways
13 traversed by the lines, but in lieu ~~thereof~~ of containing such
14 description the petitioner may ~~have-on-file-at-its-offices-in~~
15 ~~the-county-or-counties-affected~~ offer to provide to any
16 interested party, free of charge and within ten working days,
17 a current, accurate map showing the location of the lines for
18 which the franchise extension is sought, ~~said-map-to-be~~
19 ~~available-for-examination-by-any-interested-party,-and-the.~~
20 The public notice shall advise the citizens of the county or
21 counties affected of the location-and availability of such
22 map. If this alternate procedure is not followed then the
23 publication of the description of the lands and highways
24 traversed by the lines shall be done in the manner as in an
25 original application for franchise. In any event an extension
26 under this section will shall be granted only for a valid,
27 existing franchise and the lands, roads, or streams covered
28 thereby by the franchise over, through, or upon which electric
29 transmission lines have in fact been erected or constructed
30 and are in use or operation at the time of the application for
31 the extension of franchise. Such petition shall be
32 accompanied by the written consent of the applicant that the
33 provisions of all laws relating to public utilities,
34 franchises, and transmission lines, or to the regulation,
35 supervision, or control thereof which are then in force or

1 which may be thereafter enacted, shall apply to its existing
 2 line or lines, franchises, and rights with the same force and
 3 effect as if such franchise had been granted or such lines had
 4 been constructed or rights had been obtained under the
 5 provisions of this chapter.

6 EXPLANATION

7 This bill strikes language providing that a person owning a
 8 franchise for electric transmission lines may have on file at
 9 its offices a current map showing the location of the lines
 10 relating to a franchise extension in lieu of a general
 11 description in the required public notice. The bill provides
 12 that the franchise owner may, in lieu of the general
 13 description, offer to provide to any interested party a
 14 current map, free of charge, and within 10 working days,
 15 showing the location of the lines relating to a franchise
 16 extension. Currently, the public notice is to advise the
 17 citizens of the county or counties affected of the location
 18 and availability of such map.

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Van Fossen, Ch
DIX
Osterhaus

HSB 92

COMMERCE AND REGULATION

Succeeded By

SE/HEN 92

HOUSE FILE

BY (PROPOSED COMMITTEE ON

COMMERCE AND REGULATION

BILL BY CHAIRPERSON METCALF)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the availability of a map indicating the
2 location of electric transmission lines related to the
3 extension of a franchise.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 478.13, unnumbered paragraph 1, Code
2 1997, is amended to read as follows:

3 Any person, firm, or corporation owning a franchise granted
4 under this chapter or previously existing law, desiring to
5 acquire extensions of such franchise, may petition the
6 utilities board in the manner provided for the granting of a
7 franchise and the ~~same~~ proceeding shall be had conducted in
8 the same manner as ~~on~~ an original application, including the
9 assessing of costs provided by section 478.4 ~~except that in~~
10 ~~the event.~~ If the extension of franchise is sought for all
11 lines in a given county or counties, the published notice need
12 not contain a general description of the lands and highways
13 traversed by the lines, but in lieu thereof of containing such
14 description the petitioner may ~~have on file at its offices in~~
15 ~~the county or counties affected~~ offer to provide to any
16 interested party, free of charge, a current, accurate map
17 showing the location of the lines for which the franchise
18 extension is sought, ~~said map to be available for examination~~
19 ~~by any interested party, and the.~~ The public notice shall
20 advise the citizens of the county or counties affected of the
21 ~~location and~~ availability of such map. If this alternate
22 procedure is not followed ~~then~~ the publication of the
23 description of the lands and highways traversed by the lines
24 shall be done in the manner as in an original application for
25 franchise. In any event an extension under this section ~~will~~
26 shall be granted only for a valid, existing franchise and the
27 lands, roads, or streams covered ~~thereby~~ by the franchise
28 over, through, or upon which electric transmission lines have
29 in fact been erected or constructed and are in use or
30 operation at the time of the application for the extension of
31 franchise. Such petition shall be accompanied by the written
32 consent of the applicant that the provisions of all laws
33 relating to public utilities, franchises, and transmission
34 lines, or to the regulation, supervision, or control thereof
35 which are then in force or which may be thereafter enacted,

1 shall apply to its existing line or lines, franchises, and
2 rights with the same force and effect as if such franchise had
3 been granted or such lines had been constructed or rights had
4 been obtained under the provisions of this chapter.

5 EXPLANATION

6 This bill strikes language providing that a person owning a
7 franchise for electric transmission lines may have on file at
8 its offices a current map showing the location of the lines
9 relating to a franchise extension in lieu of a general
10 description in the required public notice. The bill provides
11 that the franchise owner may, in lieu of the general
12 description, offer to provide to any interested party a
13 current map, free of charge, showing the location of the lines
14 relating to a franchise extension. Currently, the public
15 notice is to advise the citizens of the county or counties
16 affected of the location and availability of such map.

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HOUSE FILE 229

AN ACT

RELATING TO THE AVAILABILITY OF A MAP INDICATING THE LOCATION OF ELECTRIC TRANSMISSION LINES RELATED TO THE EXTENSION OF A FRANCHISE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 478.13, unnumbered paragraph 1, Code 1997, is amended to read as follows:

Any person, firm, or corporation owning a franchise granted under this chapter or previously existing law, desiring to acquire extensions of such franchise, may petition the utilities board in the manner provided for the granting of a franchise and the same proceeding shall be had conducted in the same manner as on an original application, including the assessing of costs provided by section 478.4 except that in the event, if the extension of franchise is sought for all lines in a given county or counties, the published notice need not contain a general description of the lands and highways traversed by the lines, but in lieu thereof of containing such description the petitioner may have on file at its offices in the county or counties affected offer to provide to any interested party, free of charge and within ten working days, a current, accurate map showing the location of the lines for which the franchise extension is sought, said map to be available for examination by any interested party, and the. The public notice shall advise the citizens of the county or counties affected of the location and availability of such map. If this alternate procedure is not followed then the publication of the description of the lands and highways traversed by the lines shall be done in the manner as in an original application for franchise. In any event an extension under this section ~~will~~ shall be granted only for a valid, existing franchise and the lands, roads, or streams covered ~~thereby by the franchise over, through, or upon which electric~~

transmission lines have in fact been erected or constructed and are in use or operation at the time of the application for the extension of franchise. Such petition shall be accompanied by the written consent of the applicant that the provisions of all laws relating to public utilities, franchises, and transmission lines, or to the regulation, supervision, or control thereof which are then in force or which may be thereafter enacted, shall apply to its existing line or lines, franchises, and rights with the same force and effect as if such franchise had been granted or such lines had been constructed or rights had been obtained under the provisions of this chapter.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 229, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House
Approved April 22, 1997

TERRY E. BRANSTAD
Governor