

House Study Bill 92

Bill Text

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1 1 Section 1. Section [478.13](#), unnumbered paragraph 1, Code
1 2 1997, is amended to read as follows:
1 3 Any person, firm, or corporation owning a franchise granted
1 4 under this chapter or previously existing law, desiring to
1 5 acquire extensions of such franchise, may petition the
1 6 utilities board in the manner provided for the granting of a
1 7 franchise and the

~~same~~

- proceeding shall be

~~had~~

- conducted in

1 8 the same manner as

~~on~~

- an original application, including the

1 9 assessing of costs provided by section 478.4

~~except that in~~

1 10

~~the event~~

- If the extension of franchise is sought for all

1 11 lines in a given county or counties, the published notice need

1 12 not contain a general description of the lands and highways

1 13 traversed by the lines, but in lieu

~~thereof~~

- of containing such

1 14 description the petitioner may

~~have on file at its offices in~~

1 15

~~the county or counties affected~~

- offer to provide to any

1 16 interested party, free of charge, a current, accurate map

1 17 showing the location of the lines for which the franchise

1 18 extension is sought

~~, said map to be available for examination~~

1 19

~~by any interested party, and the~~

- The public notice shall

1 20 advise the citizens of the county or counties affected of the

1 21

~~location and~~

- availability of such map. If this alternate

1 22 procedure is not followed

~~then~~

- the publication of the
1 23 description of the lands and highways traversed by the lines
1 24 shall be done in the manner as in an original application for
1 25 franchise. In any event an extension under this section

~~will~~

-
1 26 shall be granted only for a valid, existing franchise and the
1 27 lands, roads, or streams covered

~~thereby~~

- by the franchise
1 28 over, through, or upon which electric transmission lines have
1 29 in fact been erected or constructed and are in use or
1 30 operation at the time of the application for the extension of
1 31 franchise. Such petition shall be accompanied by the written
1 32 consent of the applicant that the provisions of all laws
1 33 relating to public utilities, franchises, and transmission
1 34 lines, or to the regulation, supervision, or control thereof
1 35 which are then in force or which may be thereafter enacted,
2 1 shall apply to its existing line or lines, franchises, and
2 2 rights with the same force and effect as if such franchise had
2 3 been granted or such lines had been constructed or rights had
2 4 been obtained under the provisions of this chapter.

2 5 EXPLANATION

2 6 This bill strikes language providing that a person owning a
2 7 franchise for electric transmission lines may have on file at
2 8 its offices a current map showing the location of the lines
2 9 relating to a franchise extension in lieu of a general
2 10 description in the required public notice. The bill provides
2 11 that the franchise owner may, in lieu of the general
2 12 description, offer to provide to any interested party a
2 13 current map, free of charge, showing the location of the lines
2 14 relating to a franchise extension. Currently, the public
2 15 notice is to advise the citizens of the county or counties
2 16 affected of the location and availability of such map.

2 17 LSB 1996HC 77

2 18 mj/sc/14