

Senate Study Bill 3120 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON PETERSEN)

A BILL FOR

1 An Act relating to utility facilities of electric transmission
2 owners within public road rights-of-way.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 306.46, subsection 2, Code 2016, is
2 amended to read as follows:

3 2. For purposes of *this section*, "*public utility*" means
4 a public utility as defined in *section 476.1*, and shall also
5 include waterworks, municipally owned waterworks, joint water
6 utilities, rural water districts incorporated under chapter
7 357A or *chapter 504*, and cooperative water associations, and
8 electric transmission owners as defined in section 476.27
9 primarily providing service to public utilities as defined
10 in section 476.1. For the purposes of *this section*, "*utility*
11 *facilities*" means any cables, conduits, wire, pipe, casing
12 pipe, supporting poles, guys, and other material and equipment
13 utilized for the furnishing of electric, gas, communications,
14 water, or sewer service.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 Code section 306.46 provides that a public utility may
19 construct, operate, repair, or maintain its utility facilities
20 within a public road right-of-way. This bill amends the
21 definition of "*public utility*" in that provision to include
22 electric transmission owners primarily providing service to
23 public utilities.

24 Code section 476.27 defines an electric transmission owner
25 as an individual or entity who owns and maintains electric
26 transmission facilities including transmission lines, wires, or
27 cables that are capable of operating at an electric voltage of
28 34.5 kilovolts or greater that are required for rate-regulated
29 electric utilities, municipal electric utilities, and rural
30 electric cooperatives in this state to provide electric service
31 to the public for compensation.