

CHAPTER 1231

PIPE LINES EMINENT DOMAIN

S. F. 1184

AN ACT relating to pipelines and the power of eminent domain exercised by pipeline companies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety point five (490.5), Code
2 1966, is hereby amended by adding at the end thereof the following:
3 "As conditions precedent to the filing of a petition with the com-
4 mission requesting a permit, and not less than thirty days prior to the
5 filing of such petition, the person, company, or corporation shall hold
6 informational meetings in each county in which real property or rights
7 therein will be affected. A member of the commission, the counsel of
8 the commission, or a hearing examiner designated by the commission
9 shall serve as the presiding officer at each meeting and present an
10 agenda for such meeting which shall include a summary of the legal
11 rights of the affected landowners. No formal record of the meeting
12 shall be required.

13 The meeting shall be held at a location reasonably accessible to
14 all persons, companies, or corporations which may be affected by the
15 granting of the permit.

16 The person, company, or corporation seeking the permit shall give
17 notice of the informational meeting to each person, company, or cor-
18 poration determined to be the landowner affected by the proposed
19 project and any person, company or corporation in possession of or
20 residing on the property. For the purposes of this section, 'landowner'
21 means a person, company, or corporation listed on the tax assessment
22 rolls as responsible for the payment of real estate taxes imposed on the
23 property and 'pipeline' means any line transporting gas, gasoline, oils,
24 motor fuels, or inflammable fluids under pressure in excess of one hun-
25 dred fifty pounds per square inch and extending a distance of not less
26 than five miles or future anticipated extension of an overall distance
27 of five miles.

28 The notice shall set forth the name of applicant; the applicant's
29 principal place of business; the general description and purpose of the
30 proposed project; the general nature of the right-of-way desired; a map
31 showing the route of the proposed project; that the landowner has a
32 right to be present at such meeting and to file objections with the
33 commerce commission; and a designation of the time and place of the
34 meeting; and shall be served by certified mail with return requested
35 not less than thirty days previous to the time set for the meeting; and
36 shall be published once in a newspaper of general circulation in the
37 county. Such publication shall be considered notice to landowners
38 whose residence is not known.

39 No person, company, or corporation seeking rights under this chap-
40 ter shall negotiate or purchase any easements or other interests in
41 land in any county known to be affected by the proposed project prior
42 to the informational meeting."

1 SEC. 2. Section four hundred ninety point six (490.6), Code 1966,
2 is hereby amended by adding at the end thereof the following new sub-
3 sections:

4 "8. The possible use of alternative routes.

5 9. The relationship of the proposed project to the present and fu-
6 ture land use and zoning ordinances.

7 10. The inconvenience or undue injury which may result to property
8 owners as a result of the proposed project.

9 11. By affidavit, that informational meetings were held in each
10 county which the proposed project will affect and the time and place
11 of each meeting."

1 SEC. 3. Section four hundred ninety point thirteen (490.13), Code
2 1966, is hereby amended by inserting in line two (2) after the word
3 "the" the words "informational meetings,".

Approved May 13, 1970.

CHAPTER 1232

REGULATION OF PUBLIC UTILITIES

S. F. 1063

AN ACT relating to the regulation of public utilities.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred ninety A point six (490A.6),
2 Code 1966, is hereby amended by inserting after the period in line
3 ten (10) the following new paragraph:

4 "All public utilities, including those exempted from rate regulation
5 by the provisions of section four hundred ninety A point one (490A.1)
6 of the Code, shall give written notice of any proposed increase of
7 any rate or charge to all affected customers served by the public utility
8 at least thirty days prior to the effective date thereof. If the public
9 utility is subject to rate regulation, the notice to affected customers
10 shall also state that the customer has a right to file a written objec-
11 tion to such rate increase and that he may request the commission to
12 hold a public hearing to determine if such rate increase should be
13 allowed. The commission shall prescribe the manner and method
14 that the written notice to each affected customer of the public utility
15 shall be served."

Approved March 20, 1970.