

IOWA UTILITIES COMMISSION

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. P-0877
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ORDER GRANTING WAIVER OF HEARING FOR AMENDMENT NO. 2

On January 9, 2026, MidAmerican Energy Company (MidAmerican) filed with the Utilities Commission (Commission) a Petition for Amendment of Pipeline Permit No. 1245 (Amendment No. 2), issued July 2, 2009, for the Washington and Johnson Lateral, located in Washington County, Iowa. MidAmerican is seeking to add approximately 7.90 miles of new 20-inch diameter pipeline to the existing 5.5 miles of 20-inch diameter pipeline subject to Permit No. 1245. MidAmerican's proposal would run predominantly parallel to existing MidAmerican pipelines permitted under Permit No. R1273 in Docket No. P-0083 and Permit No. R1302 in Docket No. P-0553. MidAmerican states it has obtained all necessary easements for Amendment No. 2.

On April 28, 2026, MidAmerican filed a request for waiver of 199 Iowa Administrative Code (IAC) 10.5 and 10.8(2)(b). Both of these rules relate to hearings for amendment petitions. MidAmerican states Iowa Code § 17A.9A and 199 IAC 1.3 allow for the petitioning of waiver of administrative rules. MidAmerican states these provisions allow for waiver if the following are established:

- a. The application of the rule would pose an undue hardship on the person for whom the waiver or variance is requested;
- b. The waiver or variance from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;
- c. The provisions of a rule subject to a petition for waiver or variance are not specifically mandated by statute or another provisions of law; and

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- d. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed by a rule for which the waiver or variance is requested.

Iowa Code § 17A.9A(2)(a)-(d); 199 IAC 1.3. In support of its waiver request, MidAmerican states it would face an undue hardship with the enforcement of 199 IAC 10.5 and 10.8(2)(b). MidAmerican states Amendment No. 2 is needed in order to increase MidAmerican's overall system capacity due to Interstate Power and Light Company's planned conversion of the Prairie Creek Generating Station from coal to gas fired. MidAmerican states it desires to begin construction no later than May 4, 2026, in order to meet in-service dates and ensure reliable gas service to its customers. Absent a waiver, MidAmerican asserts it, and in return its customers, would incur unnecessary costs and could delay the project.

MidAmerican asserts waiving 199 IAC 10.5 and 10.8(2)(b) would not prejudice the substantial legal rights of any person because MidAmerican has acquired all necessary land rights for Amendment No. 2 and no objections have been filed in the docket.

Next, MidAmerican states the Commission's rules related to amendments are not prescribed by statute or another provision of law.

Lastly, MidAmerican asserts there is no equal protection of public health, safety, or welfare concerns that will result from the issuance of a waiver in this situation.

On May 18, 2026, the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed its response to MidAmerican's request. OCA states it does not object to MidAmerican's request for waiver because it has no objection to Amendment No. 2 and MidAmerican has obtained all necessary property rights.

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The Commission has reviewed the filing and will grant MidAmerican's request for waiver, as detailed below. First, the Commission finds it would be an undue hardship on MidAmerican to go to hearing given it has obtained all necessary easements and no objections have been filed related to Amendment No. 2. Second, the Commission finds granting the waiver would not prejudice the substantial legal rights of any person due to MidAmerican having obtained all necessary easement rights for Amendment No. 2. Third, the Commission finds the procedures for amendments are not required by Iowa Code chapter 479 nor any other provision of law. Finally, the Commission finds substantially equal protections of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule due to the Commission retaining jurisdiction over this docket and having not yet issued a final ruling related to Amendment No. 2.

The Commission will grant a waiver of 199 IAC 10.5 in its entirety, including the publication of the official notice. However, the Commission will only grant MidAmerican a waiver of the first sentence of 199 IAC 10.8(2)(b), which states, "The applicable procedures for a petition for permit, including hearing, shall be followed." The Commission finds waiving this sentence is supported by MidAmerican's request for waiver. The Commission is not waiving the final two sentences of 199 IAC 10.8(2)(b), which state:

Upon appropriate determination by the commission, an amendment to the permit shall be issued. Such amendment is subject to the same conditions with respect to commencement of construction within two years and the filing of final routing maps as required for pipeline permits for the portion of the pipeline subject to the amendment.

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The Commission finds these provisions to be beyond the scope of MidAmerican's request for waiver and not supported by its filing.

IT IS THEREFORE ORDERED:

1. MidAmerican Energy Company's request for waiver filed on April 28, 2026, is granted in part and denied in part.
2. MidAmerican Energy Company's request for waiver of 199 Iowa Administrative Code 10.5 is granted in its entirety.
3. MidAmerican Energy Company's request for waiver of 199 Iowa Administrative Code 10.8(2)(b) is granted only for the first sentence of 199 Iowa Administrative Code 10.8(2)(b) and denied as to the remaining sentences.

UTILITIES COMMISSION



Sarah Martz, Chair



Joshua Byrnes, Commissioner



Erik Helland, Commissioner