

IOWA UTILITIES COMMISSION

IN RE:	DOCKET NO. P-0609
MIDAMERICAN ENERGY COMPANY	

ORDER GRANTING WAIVER AND PIPELINE PERMIT AMENDMENT

BACKGROUND

On March 20, 2026, MidAmerican Energy Company (MidAmerican) filed a petition with the Utilities Commission (Commission) for an amendment of Pipeline Permit No. R1308 pursuant to Iowa Code chapter 479. The petition requests to construct, operate, and maintain approximately 0.39 miles of 2-inch diameter natural gas pipeline for the Iowa City #3 Lateral in Johnson County, Iowa. The original permit authorized approximately 5.85 miles of 6-inch and 0.13 miles of 10-inch diameter natural gas pipeline. The existing permit and the amended permit authorize a total pipeline mileage of 6.37 miles.

On May 13, 2026, the Commission issued a staff review letter requesting MidAmerican provide additional information regarding the petition. On May 29, 2026, MidAmerican provided responses to the staff review letter.

On July 2, 2026, MidAmerican filed an updated Exhibit K and a request for waiver of hearing found within Commission rules at 199 Iowa Administrative Code (IAC) 10.5 and 10.8(2)(b). In its waiver request, MidAmerican identifies it anticipates construction to commence by August 3, 2026.

On July 10, 2026, the Commission issued a staff report that directed MidAmerican to respond to questions regarding the petition; MidAmerican provided an

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adequate response on July 20, 2026. The Commission determined the information presented demonstrates the pipeline complies with all design, construction, testing, operating, and maintenance requirements of the Commission and no special safety or engineering considerations are recommended for this amendment.

On July 22, 2026, the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed a response stating it has no objection to MidAmerican's amendment request.

To date, no objections to the petition or request for waiver of hearing requirements have been filed with the Commission.

ANALYSIS OF REQUEST FOR WAIVER

A. Legal Standards

Commission rules 199 IAC 10.5 and 10.8(2) establish the requirement for notice of hearing when a proper petition for permit is received by the Commission, require a hearing when there is a petition for permit, and state that the applicable procedures for an original petition for permit, including hearing, shall also be followed for petition for permit amendment.

As an exception to these rules, 7 IAC chapter 2504 provides that the Commission may, in response to a request, grant a waiver from a rule adopted by the Commission, in whole or in part, as applied to a specific set of circumstances, if it finds: (1) the application of the rule would pose an undue hardship on the person for whom the waiver is requested; (2) the waiver would not prejudice the substantial legal rights of any person; (3) the provisions of the rule subject to a petition for waiver are not specifically mandated by statute or another provision of law; and (4) substantially equal

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protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the rule for which the waiver is requested.

B. Request for Waiver

MidAmerican has requested a waiver of the application of Commission rules at 199 IAC 10.5 and 10.8(2)(b). MidAmerican asserts the application of Commission rules 10.5 and 10.8(2) will pose an undue hardship if a hearing is held as it would impose unnecessary costs for customers and cause an undue delay that would ultimately pose an undue hardship on MidAmerican. MidAmerican further asserts no person's legal rights will be prejudiced by a waiver of the rules as it already has all necessary land rights for the pipeline. MidAmerican asserts that the Commission's rules subject to the waiver request are not prescribed by statute or another provision of law. Finally, MidAmerican contends the public health, safety, and welfare of the public will not be impacted by the issuance of a waiver.

The Commission finds that MidAmerican's request satisfies the waiver criteria established in 7 IAC chapter 2504. There is no statutory requirement that amendments must follow the same procedural requirements as original permit issuances. Requiring MidAmerican to go through a hearing would create an unnecessary administrative burden and waiving the hearing requirement will not prejudice the legal rights of any person. MidAmerican identifies that the City of Iowa City requested the proposed amendment for its wastewater treatment plant and the route is entirely on the City of Iowa City's land. MidAmerican states it has obtained all necessary easements for the proposed pipeline amendment.

The Commission further finds that substantially equal protections of the public health, safety, and welfare will be provided through a careful review of the information

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MidAmerican has submitted to justify its request for an amendment permit. A waiver does not change the safety requirements for the pipeline and the inspections that the Commission performs.

The Commission finds that the request satisfies the relevant criteria and it is appropriate to waive the requirement for a hearing. The Commission will grant MidAmerican's request for a waiver of the hearing requirement and corresponding notice.

ANALYSIS OF PERMIT AMENDMENT

Iowa Code chapter 479 establishes the specific requirements for granting a permit for a natural gas pipeline. The Commission has adopted rules in 199 IAC chapter 10 that also establish the requirement for a pipeline permit. Commission rule 10.8(2) normally requires the same exhibits be filed for an amendment as for a new pipeline and requires that the applicable procedures for a new permit also be followed for an amendment; however, in this instance, some of those required provisions have been waived or were not applicable to MidAmerican's petition for amendment.

An informational meeting is required to be held if the proposed pipeline will operate at a pressure in excess of 150 pounds per square inch gauge (psig) and will extend for a distance of five miles or more. An informational meeting was not required for this amendment because the addition of the proposed pipeline extends for only 0.39 miles. Additionally, MidAmerican states the project does not cross public roads or railroads, does not seek the use of eminent domain, and will not be constructed on agricultural land.

No hearing will be held regarding this petition for amendment; Commission rules at 199 IAC 10.5 and 10.8(2)(b) regarding hearing requirements will be waived. The

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remaining relevant statutory requirements regarding the petition for an amendment of a pipeline are addressed below.

A. Iowa Code § 479.6

1. Iowa Code §§ 479.6(1) and (2) require that the petition include the name of the entity requesting the permit and the entity's principal place of business.

MidAmerican's petition includes its name and its principal place of business at 1615 Locust Street, Des Moines, Iowa. The Commission finds MidAmerican met the requirements of Iowa Code §§ 479.6(1) and (2).

2. Iowa Code §§ 479.6(3) and (4) require the petition include a legal description and map of the proposed pipeline as well as a general description of the public or private highways, grounds and waters, streams, and private lands of any kind along, over, or across which the proposed pipeline will be located. Commission rules at 199 IAC 10.3(1)(a) and (b) require Exhibits A and B, respectively, and describe the information to be provided in the legal description and maps to comply with these statutory requirements. MidAmerican filed Exhibits A and B for its amendment. The Commission finds MidAmerican has provided the substantiation for the requirements of Iowa Code §§ 479.6(3) and (4).

3. Iowa Code §§ 479.6(5) and (6) require that the petition include the specifications of materials and manner of construction of the pipeline and the maximum and normal operating pressure proposed for the pipeline. Commission rules at 199 IAC 10.3(1)(c) require an Exhibit C that describes the information needed to meet these statutory requirements. MidAmerican identifies the pipe manufacturer and valve manufacturer as "to be determined." MidAmerican states the maximum actual operating

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pressure will be 596 psig. MidAmerican states the operating pressure of the proposed pipeline will be between 463 and 464 psig.

The Commission finds MidAmerican has complied with the requirements of Iowa Code §§ 479.6(5) and (6) and 199 IAC 10.3(1)(c) to the extent available at the time of filing. Since MidAmerican states the pipe manufacturer and valve manufacturer are “to be determined,” MidAmerican will be required to file a revised Exhibit C identifying the manufacturer of the pipe and valves once the information is available.

4. Commission rules at 199 IAC 10.3(1)(d) require an Exhibit D with an affidavit showing proof that the pipeline company has sufficient solvency and financial ability to pay damages in the sum of \$250,000 or more; will post a surety bond in the penal sum of \$250,000; has security that guarantees the payment of damages in the sum of \$250,000; or has proof the company has property subject to execution within the state, other than pipelines, of value in excess of \$250,000. MidAmerican has provided an affidavit from Blake Groen, Vice President and Chief Financial Officer, detailing page 334 of MidAmerican’s Form IG-1, demonstrating MidAmerican has more than \$250,000 in property, other than pipelines, in Iowa. The Commission finds MidAmerican has satisfactorily demonstrated it has property, other than pipelines, in Iowa exceeding \$250,000.

5. Iowa Code §§ 479.6(8)-(10) require that the petition include a description of possible alternative routes, the relationship of the proposed project to present and future land use and zoning ordinances, and provide information on the inconvenience or undue injury that may affect property owners as a result of the proposed project. Commission rules at 199 IAC 10.3(1)(f) require an Exhibit F, which is to contain the information required by Iowa Code §§ 479.6(8)-(10), in addition to a statement

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regarding the purpose of the project and a description of how the services rendered by the pipeline will promote the public convenience and necessity, and to provide the year of original construction and any other amendments the pipeline may have.

As it relates to the requirements of Iowa Code § 479.6(4), MidAmerican's Exhibit F states the route chosen is the best because the route is entirely on the City of Iowa City's land as Iowa City requested the proposed amendment for its wastewater treatment plant. MidAmerican states the property is the most direct route, causes the least environmental impact, and is the most cost effective, and MidAmerican has obtained all necessary easements for the proposed pipeline amendment.

As it relates to land use and zoning, MidAmerican states the amended pipeline will be built on land zoned for commercial use and owned by the City of Iowa City. MidAmerican states, to its knowledge, the proposed amendment is consistent with present and future land use and zoning ordinances.

MidAmerican also asserts any inconvenience or undue injury to landowners should be minimal as the proposed pipeline is being constructed at the request of the landowner, the City of Iowa City.

The Commission finds MidAmerican considered alternative routes as required by Iowa Code § 479.6(8); MidAmerican has described the relationship between the proposed pipeline and the present and future land use and zoning ordinances of Johnson County; and MidAmerican has described the potential inconvenience and undue injury that may result from its proposed pipeline and how it will limit the impacts to landowners. Therefore, the Commission finds MidAmerican has satisfied the requirements set forth in Iowa Code §§ 479.6(8)-(10).

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6. Commission rule at 199 IAC 10.3(1)(j) requires an Exhibit K with an affidavit showing that the pipeline company undertook a review of land records to identify all affected persons for all parcels over which the pipeline is proposed to be located. MidAmerican filed an Exhibit K indicating it has reviewed the necessary land records to identify all affected persons and it has obtained all necessary easements for the proposed pipeline amendment. The Commission finds MidAmerican has complied with the requirements of 199 IAC 10.3(1)(j).

B. Iowa Code § 479.9

Iowa Code § 479.9 states that any person, corporation, company, or city whose rights or interests may be affected by the proposed pipeline may file written objections. No objections have been filed regarding the proposed pipeline amendment.

C. Iowa Code § 479.12

Iowa Code § 479.12 states the Commission may grant a permit for a natural gas pipeline in whole or in part upon terms, conditions, and restrictions as to safety requirements and location and route selection as determined to be just and proper. This section of the statute has been made applicable for petitions for amendment. The Commission is required, as a condition precedent to granting an amendment to the permit, to determine whether the proposed pipeline will promote the public convenience and necessity.

The statutory requirements of Iowa Code chapter 479, as well as specific facts that relate to a proposed pipeline amendment, are considered when making a determination as to whether to approve an amendment to a permit. In this case, the evidence shows that the proposed pipeline will meet all federal and state safety

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requirements, all necessary easements have been obtained, and no objections have been filed regarding the proposed pipeline.

In its Exhibit F, MidAmerican states the proposed pipeline will connect a source of clean-burning renewable natural gas to the Iowa City area natural gas distribution system and will provide economic benefit as well as improve air quality in the Johnson County area by decreasing methane emissions.

Based upon the evidence regarding the need for the amendment of the existing pipeline and compliance with statutory and Commission rules, the Commission finds that the proposed pipeline will promote the public convenience and necessity and that an amended permit should be issued to allow construction of the pipeline. However, the amendment will not extend the permit's expiration. Pipeline Permit No. R1308 is to be in effect until November 18, 2041, unless revoked, terminated, or amended by the Commission.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of MidAmerican's petition under the provisions of Iowa Code chapter 479.
2. The statutory requirements in Iowa Code chapter 479 have been considered and the evidence supports the granting of an amended permit for the proposed pipeline.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. MidAmerican Energy Company's request for waiver of hearing filed on July 2, 2026, is granted.

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2. The notice of hearing requirements in 199 Iowa Administrative Code 10.4 is moot upon waiver of the hearing in Ordering Clause 1.

3. MidAmerican Energy Company's Petition for Pipeline Permit Amendment filed on March 20, 2026, as revised, is granted. Amendment No. 1 to Permit No. R1308 shall be issued concurrently with this order.

4. MidAmerican Energy Company shall revise its Exhibit C to identify the manufacturer of the pipe and the valve manufacturer's name and reference number as soon as the information becomes available.

5. The Utilities Commission retains jurisdiction of the subject matter of this docket pursuant to Iowa Code chapter 479 and may at any time during the period of the permit make such further orders as may be necessary.

UTILITIES COMMISSION



Sarah Martz, Chair



Joshua Byrnes, Commissioner



Erik Helland, Commissioner