

199—11.14(478) Federally registered planning authority transmission projects.

11.14(1) Purpose. The purpose of this rule is to implement the requirements of Iowa Code section 478.16.

11.14(2) Definitions. For the administration and interpretation of this rule, the following words and terms, when used in this rule, shall have the following meanings:

“Electric transmission line” means a high-voltage electric transmission line with a capacity of 100 kilovolts or more and any associated electric transmission facility, including any substation or other equipment.

“Electric transmission owner” means an individual or entity who, as of July 1, 2020, owns and maintains an electric transmission line that is required for rate-regulated electric utilities, municipal electric utilities, and rural electric cooperatives in this state to provide electric service to the public for compensation.

“Federally registered planning authority” means any independent system operator or regional transmission organization approved by the Federal Energy Regulatory Commission.

“Incumbent electric transmission owner” means any of the following:

1. A public utility or a municipally owned utility that owns, operates, and maintains an electric transmission line in this state.

2. An electric cooperative corporation or association or municipally owned utility that owns an electric transmission facility in this state and has turned over the functional control of such facility to a federally approved authority.

3. An electric transmission owner.

11.14(3) Notification of decision of incumbent transmission owner.

a. Upon approval of an electric transmission line, in a federally registered planning authority transmission plan, which connects to a transmission facility owned by an incumbent transmission line owner, the incumbent electric transmission owner shall notify the board in writing within 90 days of its intent to construct, own, and maintain the approved electric transmission line.

b. If the incumbent electric transmission owner does not intend to construct, own, or maintain an electric transmission line approved in a federally registered planning authority transmission plan, the incumbent electric transmission owner shall notify the board in writing within 90 days of the date the federally registered planning authority approves the transmission line.

c. If an electric transmission line approved by a federally registered planning authority connects to two or more incumbent electric transmission owners' facilities, all incumbent electric transmission owners shall notify the board within 90 days of their intent to construct, own, and maintain the approved electric transmission line individually and equally.

d. In the event where two or more incumbent electric transmission owners may construct an electric transmission line approved by a federally registered planning authority but one incumbent electric transmission owner notifies the board of its intent not to construct, own, or maintain the approved electric transmission line, the other incumbent electric transmission owner or owners shall notify the board of their intent to construct the entire project within 90 days of federally registered planning authority's approval of the transmission line.

11.14(4) Effect of incumbent's decision to decline to construct. Upon receipt by the board of notice of the incumbent electric transmission owner's intent not to construct, operate, or maintain the electric transmission line approved by a federally registered planning authority, or the failure of the incumbent electric transmission owner to provide such notice, the board may issue a franchise to another person to construct the electric transmission line approved by a federally registered planning authority subject to the requirements of Iowa Code chapter 478.

11.14(5) Reports to the board.

a. Within 30 days of the issuance of a franchise, the electric transmission owner who is constructing, owning, and maintaining the electric transmission line approved by a federally registered planning authority shall file with the board the estimated cost to construct the electric transmission line.

b. Until construction of the electric transmission line approved by a federally registered planning authority is complete, the electric transmission owner who is constructing, owning, and maintaining the

electric transmission line approved by a federally registered planning authority shall provide quarterly reports to the board detailing the estimated cost to construct the electric transmission line approved by a federally registered planning authority. If the estimated cost to construct the electric transmission line approved by a federally registered planning authority changes from the last report, the electric transmission owner who is constructing, owning, and maintaining the electric transmission line approved by a federally registered planning authority shall provide an explanation as to the change.

11.14(6) *Compliance with board rules.* Nothing in this rule shall modify or alter any other requirements established in this chapter of the board's rules.
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