



Iowa Utilities Board

1375 E. Court Ave.
Des Moines, IA 50319-0069

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Agenda

- Overview of Iowa Utilities Board (IUB)
- Office of Consumer Advocate (OCA)
- Summary of the Franchise Process and the Legal Rights of Landowners (*IUB*)
- Project Information (*ITC Midwest*)
- Question-and-Answer Session

Your Information Handout Includes:

- Agenda
- IUB's Informational Meeting Presentation
- Statement of Property Owner's Rights
- Information on how to File an Objection, Letter of Support, or Comments
- Frequently Asked Questions about Eminent Domain

What is the Iowa Utilities Board?

- Independent Quasi-Judicial Regulatory Body
- Three-Member Board
 - Serve staggered six-year terms
 - No more than two from the same political party
 - Appointed by the Governor
 - Confirmed by the Senate
- Current Board Members:
 - Erik Helland (Chair)
 - Joshua Byrnes
 - Sarah Martz

What is the Iowa Utilities Board?

- The IUB regulates the rates, safety, and service of utility companies. It is also charged with issuing permits for various types of energy infrastructure projects under Iowa law.
- Decisions are based on evidence and the law.
- IUB actions may be reviewed by the courts.

Office of Consumer Advocate (OCA)

- The Office of Consumer Advocate is a division of the Iowa Department of Justice.
- OCA represents the general interests of consumers and the public in all matters brought before the IUB.
- For more information, see the sheet provided in your information handout.

The Franchise Process Overview

- A franchise is a grant of authority issued by the IUB.
- This informational meeting is required by Iowa law before the company can begin easement negotiations.
- The company cannot file its application (petition) with the IUB until at least 30 days after the informational meeting.

The Franchise Process Overview

- A hearing is required if any objection(s) or request for eminent domain is filed with the IUB.
- A hearing is not required if no objection(s) or request for eminent domain is filed with the IUB.

Comments or Objections

- Any affected landowner may file comments or objections to the proposed transmission line as part of the IUB's review process.
- Phone calls or verbal communication will not be considered as part of the official record.
- Only written comments or objections will be considered.
- Reference the docket number (E-22544) in your comment or objection letters.
- Comments or objections may be filed either electronically or by mail.
- You have instructions on how to file an objection, letter of support, or other comment in your handout material.

Public Hearing and Procedures

- If a hearing is required the IUB sets a hearing date and encourages concerned landowners to participate at the hearing.
- In the case of a hearing, objections may be filed up until 20 days after the date of the last publication of the final notice.
- Before the filing deadline, landowners who objected to the project should file statements, testimony, evidence, and/or any other material that supports their position.
- The IUB and its staff cannot provide legal advice to landowners; however, staff can explain the process and hearing procedures.

Easements

- An easement agreement is a legal document that provides rights to a company to locate an electric line on private property.
- An easement does not transfer ownership of the property.
- Landowners may contact an attorney or receive assistance from family members or friends during the negotiation of the easement terms.
- Landowners may negotiate the use of their land or specify their desire for placement of facilities on their land as they negotiate. Landowners have the right to ask for the line to be moved to a different location.
- An easement may be either voluntary or obtained through the use of eminent domain.

Eminent Domain (Condemnation)

- The right of eminent domain may only be granted by the IUB after a public hearing.
- If a hearing is set, notice of the IUB hearing will be sent by the company through certified mail to landowners for whom eminent domain is requested.
- If the IUB grants eminent domain, the company may obtain easement rights after a condemnation proceeding.
- The County Compensation Commission under Iowa Code 6B determines just compensation for property rights taken by eminent domain. The IUB does not determine compensation.
- FAQs about eminent domain are included in your handout packet.

Statement of Property Owner's Rights

The Statement of Property Owner's Rights pursuant to chapter 34 of the Iowa Attorney General's rules is the green sheet in the information handout.

Contact Information

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