

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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IN RE:  AMES MUNICIPAL ELECTRIC SYSTEM	DOCKET NO. E-20891
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**ORDER GRANTING FIRST AMENDMENT OF FRANCHISE**

(Issued July 15, 2005)

On May 31, 2005, Ames Municipal Electric System (Ames Municipal) filed a petition, identified as Docket No. E-20891, with the Iowa Utilities Board for authority to amend its previously granted Franchise No. 16885. Ames Municipal specifically requested the Board allow it to increase the authorized maximum operating voltage of approximately 1.57 miles of existing electric transmission line in Story County, Iowa, from 72,500 to 169,000-volts, pursuant to Iowa Code chapter 478 (2005). Ames Municipal states that all easements required for the line have been obtained.

Ames Municipal has met the requirements of Iowa Code chapter 478 (2005) and 199 IAC chapter 11 and an amendment to franchise should be issued to Ames Municipal for the transmission line described in the petition.

**FINDINGS OF FACT**

1. No objections to the petition have been filed as provided for by Iowa Code chapter 478 (2005).
2. Notice of the petition was published as required by Iowa Code chapter 478 (2005).

3. Ames Municipal has filed an agreement to pay all costs and expenses of this franchise proceeding pursuant to IOWA CODE § 478.4 (2005).

4. The transmission line is necessary to serve a public use. This conclusion is based on information provided pursuant to Iowa Code chapter 478 (2005).

5. The transmission line represents a reasonable relationship to an overall plan of transmitting electric energy in the public interest. This conclusion is based on information provided pursuant to Iowa Code chapter 478 (2005).

6. The transmission line will meet or exceed the minimum engineering requirements of the rules of the Board and will conform to the requirements of Iowa Code chapter 478 (2005).

7. Ames Municipal has not requested it be vested with the right of eminent domain.

8. The transmission line is near and parallel to a railroad rights of way or along division lines of land, wherever practicable and reasonable, and so as not to unnecessarily interfere with the use of land by the occupants consistent with IOWA CODE § 478.18 (2005).

### **CONCLUSIONS OF LAW**

1. The Utilities Board has jurisdiction of the parties and subject matter pursuant to Iowa Code chapter 478 (2005).

2. The Utilities Board has authority pursuant to Iowa Code chapter 478 (2005) to grant an amendment to franchises for the construction, erection, maintenance, and operation of certain electric transmission lines outside cities in the state for the transmission, distribution, or sale of electric current within the state. Iowa Code § 478.1 (2005).

**IT IS THEREFORE ORDERED:**

1. The petition is granted and an amendment to franchise will be issued to Ames Municipal Electric System to construct, erect, operate, and maintain an electric transmission line as specifically described in the amendment to franchise attached to this order and incorporated by this reference.

2. The Utilities Board retains jurisdiction of the subject matter in this docket pursuant to Iowa Code chapter 478 (2005), and may at any time during the period of the franchise make such further orders as may be necessary.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

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Dated at Des Moines, Iowa, this 15<sup>th</sup> day of July, 2005.

## **FIRST AMENDMENT OF FRANCHISE**

On May 31, 2005, Ames Municipal Electric System (Ames Municipal) filed a petition, identified as Docket No. E-20891, with the Utilities Board (Board) for authority to amend its previously granted Franchise No. E-16885. Ames specifically requested the Board allow it to increase the maximum operating voltage of approximately 1.57 miles of existing electric transmission line in Story County, Iowa, from 72,500 to 169,000-volts, pursuant to Iowa Code chapter 478 (2005). Upon due notice and consideration in accordance with Iowa Code chapter 478 (2005), the Board found the petition should be granted and the franchise amended in the Order Granting First Amendment Of Franchise issued simultaneously in this docket. Ames Municipal must comply with the requirements stated in the Order Granting First Amendment Of Franchise and incorporated by reference in this franchise.

Pursuant to the order of the Board and Iowa Code chapter 478 (2005), the amendment of franchise is granted, along with permission and authority to erect, maintain, and operate a transmission line on routing as specifically described for the transmission, distribution, use, and sale of electric current outside of cities and towns, and for such purpose to erect, use, and maintain poles, wire, guy wires, towers, cables, conduits, and other fixtures, and appliances necessary for conducting electric current for light, heat, and power, over, along, and across any public lands, highways, streams, or the lands of any person, company, or corporation, and to acquire necessary interest in real estate for such purposes, on and along the route particularly described in Exhibit A, attached to and incorporated by reference in this order.

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Franchise No. 16885, to construct, operate and maintain 1.57 miles of 72,500-volt transmission line at a maximum voltage of 72,500 volts on the route particularly described in Exhibit A, was granted by the Board or predecessor, to Ames Municipal Electric System, on February 16, 1990, identified as Docket No. E-20891.

The amendment of franchise is granted from the date of issuance unless sooner revoked or modified, to the date of termination of the franchise. The amendment shall be subject to and governed by all provisions, conditions, and requirements of Iowa Code chapter 478 (2005) and by all provisions, conditions, and requirements of the Board, as may be applicable.

It is provided and understood the amendment of franchise is granted subject to the provisions of Iowa Code § 319.5 (2005).

It is further provided and is a condition of the amendment that the Board retains jurisdiction and may during the period of the franchise make such further orders and regulations as may be necessary.

**UTILITIES BOARD**

/s/ John R. Norris  
Chairman

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 15<sup>th</sup> day of July, 2005.