

FRANCHISE NO. 17613

On May 17, 2004, Cedar Falls Utilities (CFU) filed a petition with the Utilities Board (Board) for a franchise to erect, maintain, and operate a 2.5-mile section of a 169,000-volt maximum voltage transmission line to be located in Black Hawk, County, Iowa and subject to the jurisdiction of the Board. The petition was identified as Docket No. E-21647. The Board assigned the petition to an Administrative Law Judge (ALJ), and on July 6, 2005, the ALJ issued a proposed order granting the petition. On September 21, 2005, the Board issued an order affirming the proposed order. On November 4, 2005, the Board issued an order denying an application for rehearing and reopening the record. On November 21, 2005, the Board issued an order directing the issuance of this franchise to CFU under the provisions of Iowa Code chapter 478 (2005).

Pursuant to the order of the Board affirming the proposed order of the ALJ and the order directing the issuance of a franchise, this franchise is issued and permission and authority are granted to CFU to erect, maintain, and operate a transmission line on routing specifically described in Exhibit A to the petition, attached to and incorporated by reference in this franchise, for the transmission, distribution, use and sale of electric current outside of the corporate limits of any city or town. CFU is granted permission and authority to erect, use and maintain poles, wires, 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.

This franchise is granted for a period of 25 years from the date of issuance unless, revoked, modified, or terminated pursuant to Iowa Code chapter 478 (2005).

This franchise 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. If the facilities authorized by this franchise are not built in whole or in part within two years from the date of the issuance of this franchise, this franchise shall be revoked unless CFU petitions the Board for an extension of time pursuant to Iowa Code § 478.21(2005).

During the period of time this franchise is in force, the use of the right of eminent domain is not necessary and, therefore, not included by the Board in the authority granted to CFU.

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

It is further provided and is a condition of this franchise that the Board retains jurisdiction and may at any time during the period of this 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 23rd day of November, 2005.