



**Iowa Utilities Board**  
1375 E. Court Ave.  
Des Moines, IA 50319-0069

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# Agenda

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

# Your Information Handout Includes:

- Agenda
- The IUB's Informational Meeting Presentation
- Statement of Property Owner's Rights
- Filing Instructions for IUB's Electronic Filing System
- Suggested Form for Filing Objections
- Iowa Code Chapter 478
- Frequently Asked Questions about Eminent Domain

# What is the Iowa Utilities Board?

- Independent Quasi-Judicial Regulatory Body
- Three Board Members
  - 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 are:
  - Erik Helland (Chair)
  - Joshua Byrnes
  - Sarah Martz

# What is the Iowa Utilities Board?

- The Board 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.
- Board 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 last informational meeting.

# The Franchise Process Overview

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



# Objections or Comments

- Phone calls or verbal communication will not be considered as part of the official record.
- Only written objections or comments will be considered.
- Reference the docket number E-\_\_\_\_\_ in your objection or comment letters.
- Objections or comments may be filed either electronically or by mail.
- A suggested objection form is included in the handout packet.

# 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 to assist in negotiation of the easement terms.
- 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.
- Notice of the IUB hearing will be sent by the utility company through registered 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.
- FAQs about eminent domain are included in the 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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