



**Iowa Utilities Board**

1375 E. Court Ave.

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Email: [iub@iub.iowa.gov](mailto:iub@iub.iowa.gov)



# Agenda

* What is 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:
  + Geri Huser (Chair)
  + Richard Lozier
  + Joshua Byrnes



# 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- objection or comment letters.

in your

* 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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