

IN THE SUPREME COURT OF IOWA

**LINDA K. JUCKETTE,**

*Petitioner-Appellant,*

v.

**IOWA UTILITIES BOARD,**

and

**MIDAMERICAN ENERGY COMPANY,**

and

**OFFICE OF CONSUMER ADVOCATE,**

*Respondents-Appellees.*

**IOWA SUPREME COURT NO. 21-1788**

**POLK COUNTY DISTRICT COURT  
CASE NO. CVCV061580**

**MOTION FOR LEAVE TO FILE A  
BRIEF OF *AMICUS CURIAE* IN  
SUPPORT OF RESPONDENTS  
ON BEHALF OF THE IOWA  
ASSOCIATION OF ELECTRIC  
COOPERATIVES, THE IOWA  
ASSOCIATION OF MUNICIPAL  
UTILITIES, AND THE IOWA  
UTILITY ASSOCIATION**

Pursuant to IOWA R. APP. P. 6.906, the Iowa Association of Electric Cooperatives ("IAEC"), the Iowa Association of Municipal Utilities ("IAMU"), and the Iowa Utility Association ("IUA"), respectfully request leave of the Iowa Supreme Court to file an *amicus curiae* brief on behalf of the Respondents in this case, the Iowa Utilities Board ("IUB"), MidAmerican Energy Company ("MidAmerican"), and the Office of Consumer Advocate ("OCA").

The IAEC, the IAMU, and the IUA are representative associations that support the operational, legal, economic development, educational, and advocacy interests of utilities all across the State of Iowa. Collectively, these organizations represent over 800 utility organizations, including investor-owned, non-profit cooperatives, and municipal entities within all ninety-nine counties in the State of Iowa. Collectively, these utility organizations serve over 3 million customers in the State of Iowa. The issues presented in this litigation will impact the individual utility members of the IAEC, the IAMU, and the IUA, by affecting their ability to locate utility facilities in the public right-of-way without having to exercise the right of eminent domain to do

so. Therefore, this Court should take into consideration the unique viewpoints, information, and arguments hereby submitted by prospective *Amici*. See IOWA R. APP. P. 6.906(4)(a)(3).

A proposed Brief has been filed in tandem with this Motion for Leave, and has been duly served on all parties to this litigation. Prospective *Amici* respectfully request they be granted *amicus curiae* status in the above-captioned action.

**Dated:** March 17, 2022.

/s/Dennis L. Puckett AT #0006476  
/s/ Amanda James AT #0009824  
/s/ Colin C. Smith AT #0011362  
**SULLIVAN & WARD, P.C.**  
6601 Westown Parkway, Suite #200  
W. Des Moines, IA 50266-7733  
E.: dpuckett@sullivan-ward.com

Ph.: #(515) 244-3500

***COUNSEL ON BEHALF OF AMICI  
IOWA ASSOCIATION OF ELECTRIC  
COOPERATIVES, IOWA ASSOCIATION  
OF MUNICIPAL UTILITIES, AND  
IOWA UTILITY ASSOCIATION***

**CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2022, I electronically filed the foregoing document with the Clerk of Court for the Iowa Supreme Court using the Iowa Judicial Branch's EDMS electronic filing system, which will send notice of this filing to all parties and attorneys of record.

/s/ Dennis L. Puckett  
Dennis L. Puckett AT#0006476