

**IOWA DEPARTMENT OF COMMERCE  
UTILITIES DIVISION**

**MINUTES OF THE UTILITIES BOARD**

A deliberation meeting was held on June 1, 2016, commencing at 10:00 a.m. in the Iowa Utilities Board Hearing Room, 1375 East Court Avenue, Des Moines, Iowa. Board Members attending were Chair Geri Huser, Libby Jacobs, and Nick Wagner.

The Board discussed the Dakota Access, LLC, Request for Permission to Begin Construction Outside Pre-Construction Notification (PCN) Areas filed on May 5, 2016, in Docket No. HLP-2014-0001.

Board General Counsel David Lynch discussed the procedural history, filings, and litigation in this docket. Lynch and Chief Operating Officer Cecil Wright presented maps showing land parcels, including the PCN, voluntary easement, and eminent domain areas of the pipeline route, noting it is believed there are 65 PCN areas and 168 eminent domain parcels.

Lynch noted that Dakota Access had not yet filed redacted copies of insurance policies for the purpose of maintaining certain information confidential. Board Member Jacobs made a motion directing Dakota Access to file redacted copies of the insurance policies and Board Records and Information Center staff to upload them to the public documents record. Board Member Wagner seconded and the Board unanimously approved the motion.

Board Members Wagner and Jacobs recommended construction should be allowed to begin on parcels where the required permits, approvals, or voluntary easements have been obtained, consistent with the Board's March 10, 2016, decision. Chair Huser stated concerns with the Board retaining jurisdiction over the matter and whether it would be changing its March 10, 2016, decision order or impacting litigation in any way. Board Member Wagner stated he did not view it as a change to the decision order because the Army Corps of Engineers and Department of Natural Resources followed through with their reviews with the PCN authorizations being imminent and substantially completed, recommending a new order be drafted in such a manner that no part of the March 10, 2016, decision order would be altered or revisited. Board Member Jacobs agreed and stated it was a significant supporting fact that the Army Corps of Engineers stated that by June 16, 2016, all but three PCN approvals would be completed. She noted it is really not different than commenced construction having to be halted on one or more land parcels, which would not require stopping construction in the other areas. Board Member Wagner made a motion directing Board General Counsel to draft a proposed order for the Board's consideration based on what was outlined and discussed by the Board, which Board Member Jacobs seconded and the Board unanimously approved.

Board Member Wagner made a motion to go into closed session, seconded by Board Member Jacobs, and unanimously approved by the Board.

The meeting adjourned at 10:55 a.m. Recorded by Rob Hillesland.

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Approved at the June 21, 2016, Board meeting.

**UTILITIES BOARD**

/s/ Geri D. Huser

Chair

ATTEST:

/s/ Trisha M. Quijano  
Executive Secretary, Designee