

ELECTRIC FRANCHISE FAQs

This FAQ page is continuously updated. Please start here for answers to any questions you have about the electric franchise process. If you are unable to find what you're looking for here, contact the Iowa Utilities Board (Board) at iub@iub.iowa.gov.

Q1: When is an electric franchise necessary?

A1: Any electric line which operates at 69,000 volts or more, and which is located outside the boundaries of a city, requires a franchise from the Utilities Board. A franchise is a permit authorizing the construction, operation, and maintenance of an electric transmission line. A company seeking a franchise can also request the right of eminent domain, or condemnation, to obtain the right-of-way needed for the project.

Q2: What are the applicable statutes and regulations regarding constructing an electric transmission line?

A2: Iowa Code chapter 478 is the [law governing the construction of electric transmission lines](#). The Board's [administrative rules](#) are found in 199 IAC 11.

Q3: Are there any routing requirements for an electric transmission line?

A3: The planning for a route must begin with routes that are near and parallel to roads, railroad rights-of-way, or division lines of land, according to the government survey, consistent with the provisions of Iowa Code § 478.18(2). When a route near and parallel to these features has points where electric line construction is not practicable and reasonable, deviations may be proposed at those points, when accompanied by a proper evidentiary showing, generally of engineering reasons, that the initial route or routes examined did not meet the practicable and reasonable standard. Although deviations based on landowner preference or minimizing interference with land use may be permissible, the petitioner must

be able to demonstrate that route planning began with a route or routes near and parallel to roads, railroad rights-of-way, or division lines of land. Further, no transmission line shall be constructed outside of cities, except by agreement, within 100 feet of any dwelling house or other building, except where such line crosses or passes along a public highway or is located alongside or parallel with the right-of-way of any railroad company, consistent with the provisions of Iowa Code section 478.20

Q4: When is an informational meeting necessary?

A4: If a proposed electric transmission line would extend for one mile or more on privately owned real estate, Iowa Code § 478.2 requires an informational meeting be held before a franchise can be requested from the Board. At informational meetings, a representative of the Board presents a summary of legal rights of affected landowners, and a representative of the company explains the proposed project.

Q5: When can the utility company begin negotiations with landowners?

A5: Right-of-way negotiations with landowners cannot begin until after an informational meeting has been held. If no informational meeting is required, negotiations may begin anytime.

Q6: When can a petition for franchise be filed with the Board?

A6: If an informational meeting is required, a petition for franchise cannot be filed until at least 30 days after the meeting. If no informational meeting is required, a petition for franchise may be filed at anytime.

Q7: What happens after a petition is filed?

A7: There are two procedural paths. If no objections are filed and the petition does not request eminent domain, a notice is published for two consecutive weeks in a newspaper located in the county. If no objections are filed within 20 days of the second publication, a franchise may be granted without hearing.

If objections are filed, however, a hearing may be held. If objections are filed or if eminent domain is requested, a hearing must be held. Notice of the hearing will be published, and objectors/or owners of eminent domain parcels will receive notice by mail.

Q8: When can objections be filed?

A8: Objections may be filed with the Board at any time but not later than 20 days after the date of the last publication of the notice. The Board may, but is not required to, allow late filed objections, in which case the company must be given reasonable time to respond.

Q8: If a hearing is required, where will it be held?

A8: Generally, hearings are held at the Board's office in Des Moines. However, when the electric line for which a hearing is required to be held is more than one mile long, Iowa Code § 478.6 requires the hearing be held in the county seat of the county located at the midpoint of the proposed line.