

**IOWA DEPARTMENT OF COMMERCE  
UTILITIES DIVISION**

BOARD MEETING MINUTES: FEBRUARY 19, 2019  
9 A.M., CONFERENCE ROOMS 1 & 2, 1375 EAST COURT AVENUE, DES MOINES, IOWA

Board Members Present: Geri Huser, Nick Wager, and Richard Lozier.

Call to Order: 9 a.m. by Chair Huser.

Department of Public Safety Presentation

1. Chris Maiers from the Department of Public Safety gave a presentation to the Board about Wind Turbines and Microwave Backhaul.

Consent Agenda: The consent items were approved unanimously.

Action Items:

1. E-21121: MidAmerican Energy Company. Board Member Wagner moved to approve Docket No. E-21121, "Order Granting Extension of Electric Franchise," seconded, and approved unanimously.
2. E-21192: MidAmerican Energy Company. Board Member Wagner moved to approve Docket No. E-21192, "Order Granting Extension of Electric Franchise," seconded, and approved unanimously.
3. E-22404: ITC Midwest LLC. Board Member Wagner moved to approve Docket No. E-22404 "Order Granting Motion for Determination that No Hearing is Required," seconded, and approved unanimously.
4. C-2018-0556: Kemp v. Interstate Power and Light Company. Board Member Wagner moved to approve Docket No. C-2018-0556, "Order Granting Request for Formal Proceeding and Assigning Docket to a Presiding Officer," seconded, and approved as amended.
5. EAC-2018-0150: Interstate Power and Light Company. Board Member Wagner moved to approve Docket No. EAC-2018-0150, "Order Granting Request for Confidential Treatment Filed December 19, 2018, Granting Intervention, and Directing Response," seconded, and approved unanimously.
6. ETA-2019-0001: LTD Broadband LLC. Board Member Wagner moved to approve Docket No. ETA-2019-0001, "Order Designating Eligible Telecommunications Carrier," seconded, and approved unanimously.
7. GCU-2018-0001: Crystal Lake Wind, LLC. Board Member Wagner moved to approve Docket No. GCU-2018-0001, "Order Granting Request for Waivers in Part and Granting a Generating Facility Certificate," seconded, and passed with two votes as revised. Board Member Lozier is recused.
8. GCU-2018-0002: Story Wind I, LLC. Board Member Wagner moved to approve Docket No. GCU-2018-0002, "Order Granting Request for Waivers in Part and Granting a Generating Facility Certificate," seconded, and approved as amended.

9. GCU-2018-0003: FPL Energy Hancock Country Wind, LLC. Board Member Wagner moved to approve Docket No. GCU-2018-0003, "Order Granting Request for Waivers in Part and Granting a Generating Facility Certificate," seconded, and approved unanimously.

#### Informational Items:

1. Cecil Wright and Sam Norris discussed with the Board the issues that had been discovered regarding blast emails, which are courtesy notices. It was discovered that a programming error from 2016 had affected the blast service provided by the Board's electronic filing system. The issue did not affect being able to locate documents in the electronic filing system nor the service of process to parties of record. Approximately 50 dockets were affected, with a majority being rule making dockets. An immediate programming change has corrected the issue with a longer term plan in place regarding the development of a portal system, as incorrect emails were part of the blast issue.

The second issue discussed regarded notifications to objectors in electric franchise and pipeline permit dockets. Since 2016, staff had stopped reaching out to objectors due to persons being placed on the service list and being automatically served and acknowledged when an objection or response is filed in the Board's electronic filing system. Staff will begin drafting a new procedure to better contact objectors and will provide a recommendation to the Board.

2. Louis Vander Streek provided an update on personnel changes at the Board.
3. Matt Oetker gave an update of the administrative rules review.
4. Mack Thompson presented an overview of the monthly financials.
5. Ben Flickinger provided an update on Docket No. GCU-2018-0004 to the Board.
6. Cecil Wright gave an update on an open litigation with the Board.

#### Deliberations

1. P-0822 and P-0837: Manning Municipal Utilities. Pursuant to the advice of General Counsel, Board Member Wagner moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.
2. P-0829: MidAmerican Energy Company. Pursuant to the advice of General Counsel, Board Member Lozier moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.
3. EEP-2018-0004: Black Hills/Iowa Gas utility Company, LLC d/b/a Black Hills Energy. Pursuant to the advice of General Counsel, Board Member Wagner moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.
4. EEP-2018-0005: Liberty Utilities (Midstates Natural Gas) Corp. d/b/a Liberty Utilities. Pursuant to the advice of General Counsel, Board Member Wagner moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.

5. GCU-2018-0004: Central Iowa Power Cooperative. Pursuant to the advice of General Counsel, Board Member Wagner moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.
6. TF-2018-0314: MidAmerican Energy Company. Pursuant to the advice of General Counsel, Board Member Lozier moved to go into closed session pursuant to Iowa Code §§ 21.5(1)(c)(2016), seconded, and required roll call vote, all Board Members voted aye, and passed unanimously.

The meeting adjourned at 11:04 a.m.

Next meeting: March 13, 2019, 9 a.m.

Recorded by: Bradley Nielsen.

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Approved at the March 13, 2019, Iowa Utilities Board meeting.

**UTILITIES BOARD**

/s/ Geri D. Huser

Chair

ATTEST:

/s/ Bradley Nielsen