

March 12, 2013

IOWA UTILITIES BOARD

STATE OF IOWA

DEPARTMENT OF COMMERCE

UTILITIES BOARD

IN RE:

**ITC Midwest LLC, a Michigan limited liability
company**

(company name)

DOCKET NO. E- 20994

AMENDMENT NO. 12

**PETITION FOR AMENDMENT OF
ELECTRIC TRANSMISSION LINE FRANCHISE**

COMES NOW **ITC Midwest LLC, a Michigan limited liability company**, authorized to transact business in the State of Iowa, and whose address is **123 5th Street Southeast, Cedar Rapids, Iowa, 52401**, and petitions the Utilities Board (Board) for an amendment to a franchise to erect, maintain and operate an electric transmission line in **Linn** County, Iowa, as provided in Iowa Code chapter 478 (2013) as amended.

On **July 19, 1996**, franchise or extension of franchise Number **16945** was granted to **IES Utilities, Inc.** in Docket No. E-20994. The line that would be affected by the proposed amendment presently consists of (using circuit miles):

- a. 66.765 miles of line capable of operating at a maximum voltage of 36,230 volts, and
- b. 80.765 miles of line capable of operating at a maximum voltage of 72,500 volts, and
- c. 26.12 miles of line capable of operating at a maximum voltage of 121,000 volts, and
- d. 48.44 miles of line capable of operating at a maximum voltage of 169,000 volts, and
- e. 4.50 miles of line capable of operating at a maximum voltage of 360,000 volts.

Petitioner requests this franchise be amended for the purpose of (Indicate which):

XX Adding 2.68 miles of additional circuit with a maximum voltage of 72,500 volts.
Increasing the maximum voltage of _____ miles of line from _____ to _____ volts.
Relocation of _____ circuit miles of electric transmission line.

Construction of this proposed line is proposed to commence by **September 15, 2013**. For those portions of the proposed line to be located on private property, **all** easements have been obtained of the total of **all** required.

F-16945

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I

Petitioner asserts that the proposed line is necessary to serve a public use, represents a reasonable relationship to an overall plan of transmitting electricity in the public interest, and will comply with all laws and regulations administered by the Board, and submits the following attached exhibits which are a part of this petition:

Exhibit "A", a legal description of the route over which the proposed electric line would be constructed.

Exhibit "B", a map showing the proposed route and such other natural or man-made features as are pertinent or required, and the names and addresses of the owners of other utility or service facilities near the route.

Exhibit "C", engineering specifications and technical information showing the proposed type and manner of construction, on the forms specified by the Board.

Exhibit "D", describing the need for and the public use that would be served by the proposed line, the allegations required by Iowa Code § 478.3(2), and other information pertinent to the project and this petition.

II

~~* Petitioner requests authority to exercise the right of eminent domain to secure the necessary right-of-way for the proposed project. Attached to this petition is Exhibit "E", a description of the lands over which this authority is requested and the rights being sought.~~

III

Petitioner has mailed the required notification of the filing of this petition to potentially affected parties. Attached to this petition is Exhibit "F", showing that the notification was sent.

IV

* Petitioner has held the informational meeting(s) required by Iowa Code § 478.2 for this project, and attached to this petition, pursuant to Iowa Code § 478.3, is Exhibit "G", an affidavit that the meetings have been held in each county affected by the proposed project and stating the date, time, and place of each meeting. Exhibit "G" includes copies of the mailed notice letter and the published notice(s) of the informational meeting.

V

~~* Petitioner requests that a temporary construction permit be granted allowing construction of this line to commence. Petitioner asserts that the proposed project is eligible for a permit under Iowa Code § 478.31, is the nearest electrical utility to the proposed point of service, and has attached to this petition any necessary endorsed approvals of highway or railroad authorities. Petitioner acknowledges that the final order of the Board on this petition may require the removal, relocation, or reconstruction of all or any portion of an electric line built under authority of a temporary construction permit.~~

VI

Petitioner requests that the Board consider and take appropriate action on this petition for amendment of franchise and requests that an official notice be prepared for publication once each week for two consecutive weeks in a newspaper located in the county concerned.

Petitioner may request that an early official notice be prepared and sent to Petitioner after the review of Exhibits A and B is completed. The request for early official notice shall be made in the cover letter and Petitioner shall provide a brief explanation of the need for the early official notice. Petitioner understands and assumes the risk that an additional official notice may be required if the details of the project change or objections are filed after the early official notice that are not withdrawn before the review of the petition is completed. A request for an early official notice will not be considered if Petitioner is requesting eminent domain authority.

In addition to a published route description, petitioner will make available to the public a map of the proposed route, a copy of which is attached to this petition, and requests the notice for publication state (Indicate which):

~~_____ A map showing the proposed route is published with the notice; or,~~

XX An **Exhibit B** map of the proposed route may be obtained free of charge by calling **563-585-3605**, or by writing to:

ITC Midwest LLC

Attn: Gary G. Quade

6750 Chavenelle Road

Dubuque, IA 52002

VII

The proposed line will be constructed and maintained in conformance with the requirements of 199 Iowa Administrative Code chapter 25 "Iowa Electrical Safety Code," including amendments, and with the requirements of Iowa Code chapter 478.

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VIII

Petitioner agrees to pay all costs and expenses of the franchise proceeding, whether or not objections are filed, including costs of inspections or examinations of the route, hearing, salaries, publishing of notice, and any other expenses reasonably attributable to the proceeding.

IX

Petitioner accepts that the provisions of all laws and regulations relating to public utilities, franchises, and transmission lines, which are in force or which may be hereafter enacted, shall apply to its existing line or lines, franchises, and rights with the same force and effect as if the franchise had been granted, or the lines constructed, or rights obtained under the provisions of Iowa Code chapter 478, and amendments thereto.

Dated this 12th day of **March, 2013**.

ITC MIDWEST LLC

(Company)

By **Douglas C. Collins**

(Name)

President

(Title)

(* Strike if not applicable.)

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AFFIDAVIT

STATE OF IOWA }
COUNTY OF DUBUQUE } ss:

I, Douglas C. Collins , state under oath that I am

 President of Petitioner named above and that I have
(Official Title)

authority to execute this instrument and that I have read the Petition, know the
contents, and that the statements are true and correct.

 /s/ Douglas C. Collins
(Signature of Affiant)

Subscribed and sworn to before me by Douglas C. Collins ,

this **12th** day of **March, 2013**.

 /s/ Gary G. Quade
Notary Public – Gary G. Quade
My commission Expires 11/26/2014

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