

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: ITC MIDWEST LLC	DOCKET NO. E-22299 (E-22300)
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ORDER SETTING DATE FOR INFORMATIONAL MEETINGS

(Issued October 17, 2016)

On October 6, 2016, ITC Midwest LLC (ITC Midwest) filed letters with the Utilities Board (Board) requesting that the Board set the date and time for two informational meetings for ITC Midwest's proposal to construct 10 miles of new 69 kV transmission line in Dallas and Guthrie Counties, Iowa. Initially, the Board assigned two separate docket numbers to the request for informational meetings in the two counties: Docket No. E-22299 for Dallas County and Docket No. E-22300 for Guthrie County. This has been standard practice where a single line is proposed to be constructed in multiple counties.

The Board has reviewed this procedure and its rules and has determined that the practice of assigning separate docket numbers for a proposed transmission line to be constructed in more than one county should be revised to better reflect that there is a single line being proposed. Under the new procedures, where a company proposes a single line to be constructed in more than one county the Board will assign the entire line one E docket number. In accordance with this new procedure, the Board is assigning Docket No. E-22299 to the line being proposed by ITC

Midwest in Dallas and Guthrie Counties. Docket No. E-22300 will be voided and will not be used.

The Board's rules at 199 IAC 11.3(4) require the following for proposed transmission lines that will be constructed in multiple counties:

For a proposed line to be constructed in more than one county a petition for each county shall be filed in a form which provides for a general description of the total project, including a separate legal description for the line route in each county so that an official notice may be prepared for each county separately. A franchise or certificate for construction of lines or improvements will be prepared for each county separately, although they may be consolidated and acted upon by one order.

The Board is reviewing this subrule as part of its comprehensive review of 199 IAC chapter 11. The Board will propose revisions to this subrule as part of its proposed changes to chapter 11 and will send those proposed revisions out for stakeholder comment. The Board does not believe that this subrule precludes it from assigning a single docket number to a multi-county line. The Board notes that separate petitions for Dallas County and Guthrie County will need to be filed in Docket No. E-22299. In addition, separate notices for each county will need to be sent, and separate franchises will need to be issued for each county. Revisions to the Board's rules addressing these requirements will be made when the Board issues the proposed revisions to chapter 11.

Pursuant to Iowa Code § 478.2 and 199 IAC 11.4, ITC Midwest is required to hold an informational meeting to provide information regarding a proposed transmission line project to the public and to persons with interest in real property that may be affected by the project; a meeting must be held in each county in which

potentially affected real property is located. ITC Midwest notes that there will be more than a mile of private right-of-way in each county and that it will be necessary to hold public informational meetings in both counties. ITC Midwest proposes that the informational meetings be held in Dallas County and Guthrie County on the same day, either on December 1, 2016, or in the alternative, on December 8, 2016.

Pursuant to Iowa Code § 468.2(2)(a), the Board, counsel to the Board, or a presiding officer designated by the Board, shall serve as presiding officer at the informational meetings and shall present an agenda for the meetings. The Board has reviewed the dates proposed for the informational meetings and will schedule them as requested on December 1, 2016, with the date of December 8, 2016, as an alternate date if the initial meetings must be postponed.

Iowa Code § 478.2(2)(b) requires that the meetings shall be held at locations that are reasonably accessible to all persons that may be affected by the franchises. In accordance with the statute, ITC Midwest has arranged for the meeting in Dallas County to take place at the Redfield City Hall, 808 First Street, Redfield, Iowa, beginning at 1:30 p.m., and for the meeting in Guthrie County to take place at the Panorama Community Center, 115 W. Main Street, Panorama, Iowa, beginning at 5:30 p.m.

ITC Midwest shall give notice of the informational meetings in compliance with 199 IAC 11.5 and shall file a copy of each meeting notice with the Board at the time of mailing in compliance with 199 IAC 11.5(1)(b).

IT IS THEREFORE ORDERED:

1. These proceedings concerning ITC Midwest LLC's proposed new 69 kV electric transmission line in Dallas and Guthrie Counties, Iowa, are docketed as Docket No. E-22299.
2. Docket No. E-22300 is void.
3. Informational meetings in Docket No. E-22299 are scheduled for December 1, 2016, with an alternate date of December 8, 2016, if the initial meetings are canceled.
4. The informational meeting scheduled for Dallas County, Iowa, will take place at the Redfield City Hall, 808 First Street, Redfield, Iowa, at 1:30 p.m.
5. The informational meeting scheduled for Guthrie County, Iowa, will take place at the Panorama Community Center, 115 W. Main Street, Panorama, Iowa, at 5:30 p.m.
6. ITC Midwest LLC shall file the notices required by 199 IAC 11.5(1)(b) with the Board at the time the notices are mailed.

UTILITIES BOARD

/s/ Geri D. Huser

/s/ Elizabeth S. Jacobs

ATTEST:

/s/ Trisha M. Quijano
Executive Secretary, Designee

/s/ Nick Wagner

Dated at Des Moines, Iowa, this 17th day of October 2016.