

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
BEFORE THE IOWA UTILITIES BOARD

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IN RE:

SUMMIT CARBON SOLUTIONS, LLC

DOCKET NO: HLP-2021-0001

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**PETITION TO INTERVENE**

COMES NOW the Honorable Steve King, by and through the undersigned counsel, and petitions the Iowa Utilities Board to intervene in the above-captioned docket pursuant to Iowa Administrative Code 199.7.13. In support of his intervention, Mr. King states:

1. On January 28, 2022, Summit Carbon Solutions, LLC (“Summit”) filed a petition for a permit to construct a hazardous liquid pipeline for the purpose of transporting carbon dioxide under Iowa Code Chapter 479B. Included with that petition was a statement that Summit would seek eminent domain if needed.
2. On June 30, 2023, Summit filed a spreadsheet of the remaining parcels in Exhibit H, which includes of the properties for which Summit will seek eminent domain. That filing includes over a thousand parcels and hundreds of landowners.
3. Mr. King served as the United States Representative for Congressional Districts that included western and north central Iowa from 2003-2021.
4. Many of the parcels for which Summit seeks eminent domain are located in Mr. King’s former Congressional Districts and many impacted landowners and communities are Mr. King’s former constituents who are now the beneficiaries of his pro bono consulting activities.

5. Although no longer in office, Mr. King still considers himself to be a public servant and advocates for the citizens of Iowa on issues of public concern. Citizens across Iowa often contact Mr. King for his assistance in advocating on policy issues.

6. As a U.S. Representative, Mr. King co-sponsored H. Res 340, expressing grave disapproval of the U.S. Supreme Court's majority opinion in the case of *Kelo v. City of New London*, 545 U.S. 469 (2005).

7. Also as a U.S. Representative, Mr. King co-sponsored H.R. 4128, the "Private Property Rights Protection Act of 2005," which would have limited the ability of states to authorize the use of eminent domain for economic development.

8. Specifically, Mr. King is concerned about federal constitutional issues relating to the use of eminent domain for Summit's proposed hazardous liquid pipeline and the use of eminent domain for private gain against the clear constitutionally protected property rights of his former constituents on whose behalf he consistently advocates and consults.

9. Additionally, during his time as a U.S. Representative, Mr. King served as the Chairman Subcommittee on the Constitution and Civil Justice of the Judiciary Committee of the U.S. House of Representatives.

10. As a former U.S. Representative, Mr. King has an interest in this proceeding that is not being adequately represented by any other party. Specifically, Mr. King is concerned about federal constitutional issues relating to the use of eminent domain for Summit's proposed hazardous liquid pipeline and whether the use of eminent domain in the region of the state he represented will violate the constitutional rights of Exhibit H property owners.

11. Mr. King intends to participate in this proceeding through the use of discovery, the presentation of witnesses, cross-examination of other parties' witnesses, and post-hearing

briefing. In that manner, Mr. King's participation will help establish an evidentiary record that will support sound constitutional analyses in adjudicative decisions.

12. Additionally, Mr. King and his staff were involved in the coordination of original board members and potential investors of a significant number of the ethanol plants in Iowa. His history and commitment to the industry over five decades provides a broad and deep knowledge of the entire landscape of this contentious issue.

### CONCLUSION

For the reasons stated above, Mr. King respectfully requests that the Iowa Utilities Board grant him status as an intervenor in this proceeding.

Respectfully submitted,  
/s/ Anna K. Ryon  
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