

**STATE OF IOWA
DEPARTMENT OF COMMERCE
IOWA UTILITIES BOARD**

IN RE: SUMMIT CARBON SOLUTIONS LLC	DOCKET NO. HLP-2021-0001
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RESPONSE TO THE BOARD'S APRIL 19, 2022 ORDER

On April 19, 2022, the Iowa Utilities Board (“Board”) issued an Order in response to Office of Consumer Advocate’s (“OCA”) motion for clarification regarding survey notices. In that Order, the Board required Summit Carbon Solutions (“Summit Carbon”) to provide a response to two questions: (1) what time frame does Summit Carbon propose to use going forward in its 10-day involuntary survey notice letters? And (2) if survey is not completed during that time frame, how will Summit Carbon let the recipients of the letters know of the revised time for survey?

In its Order, the Board repeated an apparent representation by Navigator that it provides a window in which it will survey pursuant to a notice letter under Iowa Code §479B.15 of between 10 and 30 days. The Board suggested such a window was reasonable. For consistency and convenience, and based on the Board’s finding of reasonableness, Summit Carbon agrees to use a similar window. Summit proposes to conduct its survey activities within 30 days of the end of the 10-day waiting period, and to add that information to its survey notice letters.

The issue of notice of a new time window is more complicated. Landowners vary significantly in what contact information they are willing to provide, and what communications they will accept or refuse. Landowners who require an involuntary survey access letter are also less likely to willingly provide an e-mail address, for example. As a result, the best

communication channel, and the channel that strikes the best combination of effectiveness and efficiency may be different for each parcel.

If the survey is not completed within that 30-day window, Summit Carbon will contact the landowner and any other recipients of the notice letter to let them know of a new survey window of no more than 30 days from the expiration of the original 30-day window by either telephone, e-mail, an in-person contact from a land agent or a new letter depending on what contact information is available to Summit Carbon and the specifics of the relationship between Summit Carbon and the particular recipient, and will keep a record of such contact.

Respectfully submitted this 9th day of May, 2022.

By: /s/ Bret A. Dublinske

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**ATTORNEYS FOR SUMMIT CARBON
SOLUTIONS LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of May, 2022, he had the foregoing documents electronically filed with the Iowa Utilities Board using the EFS system which will send notifications of such filing (electronically) to the appropriate persons.

/s/Bret A. Dublinske