

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

IN RE:)
) Docket No. HLP-2021-0001
SUMMIT CARBON SOLUTIONS LLC)

**SIERRA CLUB’S RESPONSE TO SUMMIT’S REVISED PROPOSED
PROCEDURAL SCHEDULE**

In justifying its request for a revised procedural schedule Summit states that certain “policymakers” have expressed an interest in a later hearing date than Summit initially requested. But Summit does not say who these policymakers are or why they would have any say in the matter. Is the Board going to yield its authority to set the procedural schedule to some unnamed policymakers? Is the plan to put the hearing past the November election?

Having raised these questions, Sierra Club has consistently supported a procedural schedule that would allow enough time to require Summit to submit a complete petition and for the parties to conduct discovery, obtain witnesses, and prepare written testimony. In that regard, Sierra Club asserts that a procedural schedule cannot be issued until Summit’s initial Exhibit H is filed. On February 18, 2022, Sierra Club filed a Motion to Require Exhibit H to be Filed. On February 22, 2022, affected landowner George Cummins filed a similar motion requesting that Exhibit H be filed. On March 10, 2022, the Office of Consumer Advocate also filed a motion requesting that Exhibit H be filed. At this date, the Board has still not ruled on those motions. Sierra Club fervently requests that the Board rule on those motions promptly.

On April 19, 2022, the OCA also filed an additional motion requesting further filings by Summit before a procedural schedule is established. The filings requested were a risk assessment and consequence analysis, an emergency response plan, a route evaluation, survey documentation, easement negotiation information, information regarding the use of public funds, and efforts to minimize the pipeline footprint. The Board has not yet ruled on that motion, either. Again, Summit needs to submit a complete petition before a procedural schedule can be established.

Based on the foregoing, Sierra Club asserts that this case is not yet ready for a procedural schedule to be established and that Summit' request for a procedural schedule should be denied.

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