

IOWA UTILITIES BOARD

IN RE: SUMMIT CARBON SOLUTIONS, LLC	DOCKET NO. HLP-2021-0001
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ORDER ADDRESSING PETITIONS TO INTERVENE

PROCEDURAL BACKGROUND

On January 28, 2022, Summit Carbon Solutions, LLC (Summit Carbon), filed a petition for a hazardous liquid pipeline permit with the Utilities Board (Board) to construct, operate, and maintain approximately 687 miles of 6- to 24-inch diameter pipeline for the transportation of liquefied carbon dioxide within the state of Iowa. On June 16, 2023, the Board issued an order setting the entire procedural schedule for this docket, which affirmed the intervention deadline as July 10, 2023. Previous orders on February 17 and May 19, 2023, included an intervention deadline of July 10, 2023.

On June 30, 2023, Food & Water Watch filed a petition to withdraw its intervention.

On July 6, 2023, Gordon and Evalena Garrison filed a petition to intervene.

On July 7, 2023, petitions to intervene were filed by Allen and Christine Hayek; William L. Stuck and Lisa L. Stuck;¹ Maureen Elbert Bechard for property owned by Cletus Elbert;² Robert Leinbaugh and Pamela Leinbaugh; the estate of Bonnie Wallace;

¹ On July 10, 2023, William L. Stuck and Lisa L. Stuck filed an additional petition to intervene.

² The Board received two intervention filings containing the same information from Maureen Elbert Bechard.

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Casey Schomaker for property owned by the Arlan Schomaker Residuary Trust, Barbara Schomaker, Donnell Sorenson and Nancy Sorenson; Green Plains, Inc., represented by Mark Schultheis; Robert and Judith Ritter; and Marte Elbert for property owned by Cletus Elbert.

On July 10, 2023, petitions to intervene were filed by James and Janet Norris;³ Golden Grains Energy, LLC, represented by Mark Schultheis; Ronald Baade for property owned by G-Force Customs, LLC, filed by Ronald Baade; Indian Creek Stock Farm, Inc., filed by Thomas Honeyman and William Honeyman; Austin and Kylee Hayek for property owned by Allen and Christine Hayek; Dennis L. King and Kerry L. King; Corn L.P., represented by Mark Schultheis; Jessica Wiskus; Brian Jorde and Christian Williams, filing 266 entries for eminent domain landowners and 28 entries for non-eminent domain landowners; Jeff Arrowood; Kurtis T. Stockdale for property owned by the Raymond T. Stockdale Revocable Trust, Katherine A. Stockdale Revocable Trust, and Raymond T. and Katherine A. Stockdale Revocable Trusts; Kurt and Joyce Rasmus; Sylvia Spalding for property owned by themselves and Earl D. and Chiyoko Rodgers; Keith Puntenney and Matthew Puntenney, as power of attorney;⁴ Bonnema Harvest Farms LP, filed by Dale Bonnema; Larry Kalke, for property owned by Henry Kalke and Marlene Kalke; Rose Welchan, as a tenant for property owned by Maher Farms; John Banwart; Maher Farms, Inc.;⁵ Nancy and Brad Miller; Ruth B. Noelck; Raejean Schafer; Ron Kreutzkamp; Wendell King; Diane King; the Benita A. Schiltz

³ On July 11, 2023, James Norris filed an additional petition to intervene.

⁴ Mr. Puntenney filed two petitions to intervene on July 10, 2023.

⁵ Intervention was filed by Julie Huebner, John Maher, and Lisa Zuelke for Maher Farms, Inc.

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Revocable Trust;⁶ Charles H. Oehlerking and Mark Oehlerking for property owned by the Charles H. Oehlerking Revocable Trust; Mark Oehlerking, Jon Oehlerking, and Cynthia Oehlerking-Wagner for property owned by CoBar, Inc.; the Lois Deiterman Revocable Trust;⁷ Richard Deal; Eldean Olson for property owned by Shirley Olson; Ruth Book for property owned by Bill Couser and Lucas Tjelmeland; Harlan Grau; Carole Hennings as Trustee for the Hennings Joint Trust; Joann Schneider; Michael Hejlik; Mike Mart; Norma L. Dinnes; Ryan Mills; Sharon Gran; Stacy Besch; Ted Stein for property owned by the Ted Stein Trust; Patrick G. Kirk; Ivan L. Butt; Marsha Anne Fleming; Joan Mersch for property owned by Mersch Farms, Inc.; the Republican Legislative Intervenors for Justice, represented by Charles Thomson; Connie Bonnema, George Bonnema, and Ruth R. Van Tol, represented by John Murray; Mark L. Van Tol and Sandra Kay Van Tol, represented by John Murray; Leo and Julie Kaufman; Thomas L. Terwilliger; the Mary J. Woodward Trust;⁸ the Honorable Steve King, represented by Anna Ryon; Homeland Energy Solutions, LLC, represented by Mark Schultheis; Margaret Jane Olson Black; Chen Beverly Chow; Mark Lundy; Russel W. Lehman; Quad County Corn Processors Cooperative, represented by Mark Schultheis; Amy Gallagher; Hasty Farms, LLP, represented by John Murray; the Naomi Senn Revocable Trust; DAPEMA, LLC, represented by John Murray; Jon and Deborah Brekke; the Franklin County Board of Supervisors, represented by Brent Symens; the Greg & Erica

⁶ Intervention was filed by Anthony Schiltz, Benita Schiltz, Eugene Schiltz, James Schiltz, Mary Powell, Joann Allegretti, Brad Schiltz, Steve Schiltz, Danny Schiltz, David Schiltz, and Scott Schiltz for the Benita A. Schiltz Revocable Trust.

⁷ Two separate petitions to intervene were filed for the Lois Deiterman Revocable Trust by Beverly McGriff and Randall Bobolz.

⁸ Two separate petitions to intervene were filed for the Mary J. Woodward Trust by T.J. Stilwell and Tori J. Kelley.

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Kracht Living Trust, represented by John Murray; John T. Carey, represented by John Murray; John T. Carey, Esther E. Carey, Robert R. Carey, Nancy Carey, Ricard L. Carey, and Jane Carey, represented by John Murray; Michael Daly; Jeffrey Reints; Mark Joenks; Duane and Jan Bajema; Lois Pavelka; Rick A. Chapman; Trevor Langenfeld property owned by George and Julie Langenfeld; Plymouth Energy, LLC, represented by Mark Schultheis; Siouxland Energy Cooperative, represented by Mark Schultheis; Christine Wiese; and Ryan A. King, as a renter.

On July 11, 2023, petitions to intervene were filed by Ted Junker; Mark Woodward for property owned by Craig A. Woodward; Christopher Renihan and Margi Renihan; Channon J. Mawdsley, Cinnamon A. Mawdsley, Benjamin R.T. Mawdsley, and Calli A. Mawdsley; the Mary L. Mawdsley Trust, filed by Channon J. Mawdsley; Sean Chase, for property owned by Richard Chase; Stacey Schildroth; Kerry Mulvania Hirth, for property owned by Rodney Mulvania; and Matt Dornbier.

On July 13, 2023, Anne Laubenthal filed a petition to intervene.

PETITIONS

Many of the filings made by the pro se applicants used a form petition to intervene. Therefore, the Board will discuss the assertions of these petitions as a group since they contain substantially the same information. The petitions to intervene provided the name of the county in which the property subject to eminent domain is located and the name of the owner(s) of the parcels. Additionally, the petitions assert they meet the requirements of 199 Iowa Administrative Code (IAC) 7.13(3) because the proposed hazardous liquid pipeline will impact their land, they have monetary and personal investments in their land which may be impacted, they are concerned about

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the impacts the proposed hazardous liquid pipeline could have on their communities, they state no other party could effectively represent their individual interest in their property, and their participation will assist in the development of a sound record.

On July 10, 2023, petitions to intervene were filed for Connie Bonnema; George Bonnema; Ruth R. Van Tol; Mark L. Van Tol; Sandra Kay Van Tol; Hasty Farms, LLP; DAPEMA, LLC; the Greg & Erica Kracht Living Trust; John T. Carey; and John T. Carey and Esther E. Carey, Robert R. Carey and Nancy Carey, and Richard L. Carey and Jane Carey (collectively, Murray Landowners.) All are represented by counsel, John Murray, and the Murray Landowners assert they meet the criteria of 199 IAC 7.13(3) as they are landowners subject to requests for eminent domain filed by Summit Carbon. Murray Landowners provided the county name and Summit Carbon eminent domain parcel number for each of the impacted parcels.

Also on July 10, 2023, the Franklin County Board of Supervisors (Franklin County BOS), by and through its county attorney, Brent Symens, filed a petition to intervene in this docket. Franklin County BOS states Iowa Code § 331.301(1) grants it the authority to “exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.” Furthermore, Franklin County BOS states Iowa Code chapter 468 grants it the jurisdiction, power, and authority over drainage districts in Franklin County, including the granting of easements over, across, or through a drainage district. Franklin County BOS asserts it is in the best position to protect these interests and its county engineer, drainage clerk, drainage engineer, and county

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conservation director are in a unique position to assist in the development of a sound record.

Additionally on July 10, 2023, petitions for intervention were filed by attorneys Brian Jorde and Christian Williams, containing 266 entries for eminent domain landowners and 28 entries for non-eminent domain landowners (collectively, Jorde Landowners). Jorde Landowners provided the county name in which the property subject to eminent domain is located and the name of the owner(s) of the parcels as well as other owners or persons who have a possessory interest. Additionally, Jorde Landowners assert they meet the requirements of 199 IAC 7.13(3) because the proposed hazardous liquid pipeline will impact their land, they have monetary and personal investments in their land that may be impacted, they are concerned about the impacts the proposed hazardous liquid pipeline could have on their communities, and no other party could effectively represent their individual interest in their property. Furthermore, Jorde Landowners assert their testimony will discuss whether Summit Carbon is a common carrier and whether it serves a public use. Jorde Landowners state their participation will assist in the development of a sound record.

On July 10, 2023, former Congressman Steve King, by and through counsel, Anna Ryon,⁹ filed a petition to intervene. Congressman King states he was a United States Representative for areas of western and northern Iowa from 2003 to 2021. Congressman King states he is concerned about federal constitutional issues relating to eminent domain in this proceeding. Congressman King states he intends to participate

⁹ On July 10, 2023, Ms. Ryon filed an appearance in the docket and noted her previous representation of the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice. Ms. Ryon states she has not received a response from “anyone with the authority” from the Department of Justice as to whether she may represent Congressman King under the Rules of Professional Conduct 32:1:11.

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in this proceeding through the use of discovery, the presentation of witnesses, cross-examination of other parties' witnesses, and post-hearing briefing. Lastly, Congressman King states his participation will help establish a sound evidentiary record.

On July 10, 2023, the Republican Legislative Intervenor for Justice (RLIJ) filed a petition to intervene, by and through its counsel, Charles Thomson. RLIJ asserts comprises 20 members of the Iowa General Assembly.¹⁰ RLIJ asserts its status as members of the Iowa General Assembly gives them a unique perspective on this docket and no other party can adequately represent their interest.

On July 7 and 10, 2023, Green Plains Inc.; Golden Grain Energy, LLC; Corn, LP; Homeland Energy Solutions, LLC; Quad County Corn Processors Cooperative; Plymouth Energy, LLC; and Siouxland Energy Cooperative (collectively, Corn Processors) filed petitions to intervene, by and through their counsel, Mark Schultheis and Patrick White, respectively. Corn Processors state they have a significant interest in the outcome of this proceeding as they have a contractual agreement with Summit Carbon that is financially material to them. Corn Processors state it is prudent for them to intervene in this matter to be aware of whether, when, and where the proposed hazardous liquid pipeline may be built, as well as being alerted to any issues that may arise. Corn Processors state they manufacture ethanol and will not be represented by any other party to this proceeding, and there is no substitution for their participation. Corn Processors assert granting their petition to intervene may reasonably be expected to assist in the development of a sound record.

¹⁰ The 20 members are: Senators Kevin Alons, Dennis Guth, David Rowley, Sandy Salmon, Cherielynn Westrich, Representatives Steven Bradley, Ken Carlson, Mark Cisneros, Zach Dieken, Dean Fisher, Thomas Gerhold, Cindy Golding, Helena Hayes, Steven Holt, Thomas Jeneary, Bradley Sherman, Jeff Shipley, Luana Stoltenberg, Mark Thompson, and Charles Thomson.

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Lastly, on June 30, 2023, Food & Water Watch filed a withdrawal of its petition to intervene, stating it reevaluated its ability to fully participate in the proceeding and decided to withdraw as an intervenor. Food & Water Watch states its withdrawal of its intervention does not change its objection to Summit Carbon's proposed hazardous liquid pipeline.

STANDARD

The Board's subrule at 199 IAC 7.13(3) provides that "[a]ny person having an interest in the subject matter of a proceeding may be permitted to intervene at the discretion of the board...." In determining whether to grant intervention, the Board shall consider factors including, but not limited to, the prospective intervenor's interest in the subject matter of the proceeding, the effect a final decision in the proceeding may have upon the prospective intervenor's interest, and the extent to which the prospective intervenor may be expected to assist in the development of a sound record. *Id.* Under 199 IAC 7.13(5), the Board "may limit a person's intervention to particular issues or to a particular stage of the proceeding, or may otherwise condition the intervenor's participation in the proceeding." Furthermore, "[w]hen two or more intervenors have substantially the same interest, the [B]oard . . . may order consolidation of petitions and briefs and limit the number of attorneys allowed to participate actively in the proceedings to avoid a duplication of effort." 199 IAC 7.13(6).

BOARD DISCUSSION

The Board has reviewed the petitions to intervene and finds that several of the prospective intervenors have an interest in the subject matter of the proceeding, the final determination in the docket may have an adverse effect on the prospective

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intervenors' interest, and the prospective intervenors may reasonably be expected to assist with the development of a sound record. Applying the 199 IAC 7.13(3) factors, the Board finds Murray Landowners; Corn Processors; Jorde Landowners, as shown in Attachment A to this order and incorporated herein by reference; and Franklin County BOS have pleaded sufficient facts to be granted intervention. Consistent with 199 IAC 7.13(6), Mr. Murray will represent the Murray Landowners as one group; Mr. Schultheis will represent the Corn Processors and LSCP, LLC & PLCP, LLLP, which have already been granted intervention in this docket, as one group; and Mr. Jorde and Mr. Williams will represent Jorde Landowners as one group.

Consistent with 199 IAC 7.13(6), the Board is granting intervention to the persons or legal entities who are owners of record for directly impacted property. For example, if a trust files for intervention and the trustees file for intervention as well, only the trust will be granted intervention. The trust may call or use the trustees as witnesses, but the trustees will not be granted intervention. This same analysis applies to other legal entities that are separate and distinct from the individual. Therefore, the Board will deny intervention for any person who filed as a beneficiary or as part of a legal entity.

As it relates to persons and legal entities that filed for intervention individually and are included as a Jorde Landowner, the Board will deny the individual petition to intervene, but grant their intervention as part of Jorde Landowners. Should the individual person or legal entity seek to not be represented by Mr. Jorde or Mr. Williams, a joint filing shall be made by Jorde Landowners and the individual person or legal entity, stating the individual person or legal entity is no longer a party of Jorde Landowners. The Board would then review the filing.

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With regard to RLIJ's petition to intervene, the Board is faced with a difficult decision. The members of RLIJ represent districts composed of many Iowans impacted by Summit Carbon's proposed hazardous liquid pipeline. It is not clear that the participation of such legislators will represent any interest unique from the landowners in that district or a County Board of Supervisors, to the extent such County has chosen to participate. The Board is not aware of any statute providing members of the legislature with individual standing to appear in executive branch proceedings. RLIJ does not represent the legislature as a whole. The will of the legislature is represented by the laws they duly enact. However, the Board will grant RLIJ's petition for one simple reason. On February 10, 2023, the Board granted intervention to Representative Charles Isenhardt. If Rep. Isenhardt has a sufficient, unique, interest to warrant intervention, then it is appropriate for RLIJ to also be granted intervention. This issue may be appropriate for further review in a future docket.

Additionally, the Board will deny the petitions to intervene for persons or legal entities that are not directly impacted by Summit Carbon's proposed hazardous liquid pipeline. The filings made by these persons or legal entities do not contain sufficient information for the Board to rule upon as to whether intervention is proper. Furthermore, these persons or legal entities not directly impacted by Summit Carbon likely have the same or similar interests which will be represented by those parties granted intervention, making it unlikely they could satisfy the requirements of 199 IAC 7.13(3). Therefore, the Board will deny the petitions to intervene. Should any person or legal entity denied intervention seek to remedy their petition, they must do so within five days of this order.

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Lastly, as it relates to the petition to intervene filed by Congressman King, the Board will deny his petition to intervene. Congressman King's petition indicated he would provide arguments related to federal constitutional issues, which establishes his interest in the subject matter. However, as it relates to how a Board decision may affect his interest, whether his interest will be adequately represented by another party, and the ability of other means to protect his interest, the Board finds Congressman King has not articulated sufficient facts to grant him intervention. The Board finds Congressman King, while having a general interest in the docket, will not be affected by the Board's decision in this docket. Additionally, the Board finds other parties to this proceeding also have raised constitutional claims and will adequately represent the interest in which Congressman King seeks to intervene on. Lastly, the Board finds Congressman King has alternative means to protect his interest. The Board is bound by court rulings, both federal and state, Iowa laws, and duly enacted administrative rules. Congressman King has other mechanisms by which he can argue for the changes he desires. Therefore, examining Congressman King's petition as a whole, the Board will deny his intervention.

Therefore, the Board will grant the following petitions to intervene, in addition to those discussed previously in this order:

- Allen Hayek
- Bonnema Harvest Farms LP
- The Estate of Bonnie Wallace
- Brad Miller
- Charles H. Oehlerking Revocable Trust
- Christine Hayek
- Christopher Renihan
- Diane King
- Eldean Olson
- Evalena Garrison
- Gordon Garrison
- Hennings Joint Trust

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- Ivan L. Butt
- John Banwart
- Judith Ritter
- Julie Kaufman
- Kerry Mulvania Hirth
- Larry Kalke
- Leo Kaufman
- Lisa L. Stuck
- Lois Deiterman Revocable Trust
- Margaret Jane Olson Black
- Margi Renihan
- Mark Lundy
- Marsha Anne Fleming
- Marte Elbert
- Maureen Elbert Bechard
- Nancy Miller
- Naomi Senn Revocable Trust
- Patrick G. Kirk
- Raejean Schafer
- Rich A. Chipman
- Robert Ritter
- Ruth B. Noelck
- Trevor Langenfeld
- Wendell King
- William L. Struck

All other petitions to intervene not stated above or a part of any of the above groupings are denied.

For Bonnema Harvest Farms LP, filed by Dale Bonnema, pursuant to 199 IAC 7.4(8)(a), a party to a proceeding before the Board may appear and be heard through an attorney licensed by the state of Iowa. The Board's rule regarding representation further provides:

A corporation or association may appear and present evidence by an officer or employee. However, only licensed attorneys shall represent a party before the board or a presiding officer in any matter involving the exercise of legal skill or knowledge, except with the consent of the board or presiding officer. All persons appearing in proceedings before the board or a presiding officer shall conform to the standard

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of ethical conduct required of attorneys before the courts of Iowa.

199 IAC 7.4(8)(b).

Therefore, rule 7.4(8)(b) is quoted above for the benefit of Bonnema Harvest Farms LP. In the event it wishes to participate in this docket beyond the presentation of evidence, they may request the Board's consent to do so.

The Board reminds parties who are not attorneys that they are held to the same standard as an attorney when engaging in the Board's process. Furthermore, the parties are expected to comply with the Board's administrative rules. The Board recommends, at a minimum, parties read chapters 1, 7, 9, 13, and 14 of the Board's administrative rules, which may be assistive.¹¹ For example, parties are required to submit prefiled written testimony in compliance with 199 IAC 7.10. The Board generally does not allow live direct testimony to be provided by the Board except for limited circumstances. The rules contain additional requirements that all parties will be expected to follow.

Additionally, as parties to the proceeding, any party who is also an eminent domain landowner, in addition to providing prefiled testimony, will not be a part of the eminent domain landowner testimony provided at the beginning of the hearing. This testimony is for eminent domain landowners who are not intervenors to the case. Non-intervening eminent domain landowners do not have to provide prefiled testimony, but their testimony is limited in scope to that of the impacts of Summit Carbon's proposed hazardous liquid pipeline on their property. Non-intervening eminent domain

¹¹ A link to a copy of the Board's administrative rule index is provided for assistance:
<https://www.legis.iowa.gov/law/administrativeRules/chapters?agency=199&pubDate=07-12-2023>.

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landowners similarly do not have the right to cross-examine other parties' witnesses. In contrast, intervening eminent domain landowners must file prefiled testimony and may cross-examine other parties' witnesses. However, intervening eminent domain landowners who are parties will be treated like all other parties. Parties are expected to be present during the testimony of witnesses whom they wish to cross-examine. The Board will not recall a witness due to a party not being present, absent extreme circumstances for which the Board will make a determination at hearing. Furthermore, if a party files prefiled testimony, they must have that witness present for cross-examination when it is that witness's turn to testify. The Board is providing this brief narrative to assist the pro se intervenors who are not accustomed to the Board's practices and procedures. This is not a comprehensive discussion of all Board practices and procedures, but rather an assistive dialogue.

Regarding Food & Water Watch's withdrawal of intervention, the Board will grant Food & Water Watch's request. Food & Water Watch will no longer be a party to this proceeding.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. The withdrawal of intervention filed by Food & Water Watch on June 30, 2023, is granted, and Food & Water Watch shall no longer be a party to this proceeding.
2. The petition to intervene filed by Green Plains Inc. on July 7, 2023, is granted and Green Plains Inc. shall participate in the proceeding as described in the body of this order.
3. The petition to intervene filed by Golden Grain Energy, LLC, on July 10,

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2023 is granted and Golden Grain Energy, LLC, shall participate in the proceeding as described in the body of this order.

4. The petition to intervene filed by Corn, LP, on July 10, 2023, is granted and Corn, LP, shall participate in the proceeding as described in the body of this order.

5. The petition to intervene filed by Homeland Energy Solutions, LLC, on July 10, 2023, is granted and Homeland Energy Solutions, LLC, shall participate in the proceeding as described in the body of this order.

6. The petition to intervene filed by Quad County Corn Processors Cooperative on July 10, 2023, is granted and Quad County Corn Processors Cooperative shall participate in the proceeding as described in the body of this order.

7. The petition to intervene filed by Plymouth Energy, LLC, on July 10, 2023, is granted and Plymouth Energy, LLC, shall participate in the proceeding as described in the body of this order.

8. The petition to intervene filed by Siouxland Energy Cooperative on July 10, 2023, is granted and Siouxland Energy Cooperative shall participate in the proceeding as described in the body of this order.

9. The petition to intervene filed by Connie Bonnema, George Bonnema, and Ruth R. Van Tol on July 10, 2023, is granted and Connie Bonnema, George Bonnema, and Ruth R. Van Tol shall participate in the proceeding as described in the body of this order.

10. The petition to intervene filed by Mark L. Van Tol and Sandra Kay Van Tol on July 10, 2023, is granted and Mark L. Van Tol and Sandra Kay Van Tol shall participate in the proceeding as described in the body of this order.

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11. The petition to intervene filed by Hasty Farms, LLP, on July 10, 2023, is granted and Hasty Farms, LLP, shall participate in the proceeding as described in the body of this order.

12. The petition to intervene filed by DAPEMA, LLC, on July 10, 2023, is granted and DAPEMA, LLC, shall participate in the proceeding as described in the body of this order.

13. The petition to intervene filed by the Greg & Erica Kracht Living Trust on July 10, 2023, is granted and Greg & Erica Kracht Living Trust shall participate in the proceeding as described in the body of this order.

14. The petition to intervene filed by John T. Carey on July 10, 2023, is granted and John T. Carey shall participate in the proceeding as described in the body of this order.

15. The petition to intervene filed by John T. Carey and Esther E. Carey, Robert R. Carey and Nancy Carey, and Richard L. Carey and Jane Carey on July 10, 2023, is granted and John T. Carey and Esther E. Carey, Robert R. Carey and Nancy Carey, and Richard L. Carey and Jane Carey shall participate in the proceeding as described in the body of this order.

16. The petition to intervene filed by the Franklin County Board of Supervisors on July 10, 2023, is granted.

17. The petition to intervene filed by the Republican Legislative Intervenors for Justice on July 10, 2023, is granted.

18. The petitions to intervene filed by Brian Jorde and Christian Williams on July 10, 2023, are granted and denied, shown in Attachment A to this order and

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incorporated herein by reference, and Brian Jorde and Christian Williams shall participate in the proceeding as described in the body of this order.

19. The petition to intervene filed by the Honorable Steve King on July 10, 2023, is denied.

20. The petitions to intervene filed on July 6, 10, and 11, 2023, for the following persons or legal entities are granted:

- Allen Hayek
- Bonnema Harvest Farms LP
- The Estate of Bonnie Wallace
- Brad Miller
- Charles H. Oehlerking Revocable Trust
- Christine Hayek
- Christopher Renihan
- Diane King
- Eldean Olson
- Evalena Garrison
- Gordon Garrison
- Hennings Joint Trust
- Ivan L. Butt
- John Banwart
- Judith Ritter
- Julie Kaufman
- Kerry Mulvania Hirth
- Larry Kalke
- Leo Kaufman
- Lisa L. Stuck
- Lois Deiterman Revocable Trust
- Margaret Jane Olson Black
- Margi Renihan
- Mark Lundy
- Marsha Anne Fleming
- Marte Elbert
- Maureen Elbert Bechard
- Nancy Miller
- Naomi Senn Revocable Trust
- Patrick G. Kirk
- Raejean Schafer
- Rich A. Chipman
- Robert Ritter
- Ruth B. Noelck

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- Trevor Langenfeld
- Wendell King
- William L. Struck

21. All other petitions to intervene filed July 7, 10, 11 and 13, 2023, that are not explicitly identified in these ordering clauses are denied.

22. Any person or legal entity denied intervention may file within five days of this order a supplemental petition to intervene providing additional information as to why they should be granted intervention.

UTILITIES BOARD

Erik M. Helland Date: 2023.07.19
13:33:49 -05'00'

Joshua Byrnes Date: 2023.07.19
14:52:09 -05'00'

ATTEST:

Keetah Horras 2023.07.19
15:57:59 -05'00'

Sarah Martz Date: 2023.07.19
09:26:29 -05'00'

Dated at Des Moines, Iowa, this 19th day of July, 2023.