

STATE OF IOWA  
DEPARTMENT OF  
COMMERCE UTILITIES  
BOARD

IN RE:

Heartland Divide Wind II, LLC

DOCKET NO. E-22432

**PETITION FOR ELECTRIC  
TRANSMISSION LINE  
FRANCHISE**

COMES NOW Heartland Divide Wind II, LLC, authorized to transact business in the State of Iowa, and whose address is 700 Universe Blvd, Juno Beach, FL 33408, and petitions the Utilities Board (Board) for a franchise to erect, maintain and operate an electric transmission line in Audubon County, Iowa, as provided in Iowa Code chapter 478.

The proposed line will consist of approximately (using circuit miles):

- a. 39.93 miles of line capable of operating at a maximum voltage of 345,000 volts,<sup>1</sup>
- b. \_\_\_\_\_ miles of line capable of operating at a maximum voltage of \_\_\_\_\_ volts, and
- c. \_\_\_\_\_ miles of line capable of operating at a maximum voltage of \_\_\_\_\_ volts.

Construction of this proposed line is proposed to commence by July 15, 2021. For those portions of the proposed line to be located on private property, 67 easements have been obtained<sup>2</sup> of the total of 85 required.<sup>3</sup>

Petitioner asserts that the proposed line is necessary to serve a public use, represents a reasonable relationship to an overall plan of transmitting electricity in the public interest, and will comply with all laws and regulations administered by the Board, and submits the following attached exhibits which are a part of this petition:

Exhibit "A", a legal description of the route over which the proposed electric line would be constructed.

<sup>1</sup> The total length of the proposed line consists of 2.82 miles in Adair County, 23.66 miles in Audubon County, and 13.45 miles in Guthrie County.

<sup>2</sup> This includes 19 easements in Audubon County and 6 in Guthrie County that will be partially assigned from Heartland Divide Wind Project, LLC to Heartland Divide Wind II, LLC so that both entities will hold an undivided interest in the respective easements as tenants-in-common.

<sup>3</sup> The 85 easements are located as follows: Adair County – 8 easements – 8 obtained; Audubon – 50 easements - 40 obtained; Guthrie County – 27 easements - 19 obtained.

Exhibit "B", a map showing the proposed route and such other natural or man-made features as are pertinent or required, and the names and addresses of the owners of other utility or service facilities near the route. Line sections with double-circuit construction or underbuild have been designated.

Exhibit "C", engineering specifications and technical information showing the proposed type and manner of construction, on the forms specified by the Board.

Exhibit "D", describing the need for and the public use that would be served by the proposed line, the allegations required by Iowa Code § 478.3(2), and other information pertinent to the project and this petition.

## II

~~\* Petitioner requests authority to exercise the right of eminent domain to secure the necessary right of way for the proposed project. Attached to this petition is Exhibit "E", a description of the lands over which this authority is requested and the rights being sought.~~

## III

Petitioner has mailed the required notification of the filing of this petition to potentially affected parties. Attached to this petition is Exhibit "F", showing that the notification was sent.

## IV

\* Petitioner has held the informational meeting(s) required by Iowa Code § 478.2 for this project, and attached to this petition, pursuant to Iowa Code § 478.3, is Exhibit "G", an affidavit that the meetings have been held in each county affected by the proposed project and stating the date, time, and place of each meeting. Exhibit "G" includes copies of the mailed notice letter and the published notice(s) of the informational meeting.

## VI

Petitioner requests that the Board consider and take appropriate action on this petition for franchise and requests that an official notice be prepared for publication once each week for two consecutive weeks in a newspaper located in the county concerned.

~~Petitioner may request that an early official notice be prepared and sent to Petitioner after the review of Exhibits A and B is completed. The request for early official notice shall be made in the cover letter and Petitioner shall provide a brief explanation of the need for the early official notice. Petitioner understands and assumes the risk that an additional official notice may be required if the details of the project change or objections are filed after the early official notice that are not withdrawn before the review of the petition is completed. A request for an early official notice will not be considered if Petitioner is requesting eminent domain authority.~~

In addition to a published route description, petitioner will make available to the public a map of the proposed route, a copy of which is attached to this petition, and requests the notice for publication state: (Indicate which)

\_\_\_\_\_A map showing the proposed route is published with the notice; or,

x\_\_\_\_\_A map of the proposed route may be obtained free of charge by calling

561-694-3987, or by writing to:

Mike J. Weich, Project Manager,

NextEra Energy Resources

700 Universe Blvd

Juno Beach, FL, 33408

## VII

The proposed line will be constructed and maintained in conformance with the requirements of 199 Iowa Administrative Code chapter 25 "Iowa Electrical Safety Code," including amendments, and with the requirements of Iowa Code chapter 478.

## VIII

Petitioner agrees to pay all costs and expenses of the franchise proceeding, whether or not objections are filed, including costs of inspections or examinations of the route, hearing, salaries, publishing of notice, and any other expenses reasonably attributable to the proceeding.

## IX

Petitioner accepts that the provisions of all laws and regulations relating to public utilities, franchises, and transmission lines, which are in force or which may be hereafter enacted, shall apply to its existing line or lines, franchises, and rights with the same force and effect as if the franchise had been granted, or the lines constructed, or rights obtained under the provisions of Iowa Code chapter 478, and amendments thereto.

Dated this 14<sup>th</sup> day of September, 2020.

Heartland Divide Wind II, LLC

(Company)

By: /s/ Mike Weich

Mike Weich

Project Manager, Development

(Title)

( \* Strike if not applicable.)

**AFFIDAVIT**

STATE OF FLORIDA  
COUNTY OF PALM BEACH

} ss:

I, Mike Weich, state under oath that I am Project Manager, Development of Petitioner named above and that I have the authority to execute this instrument and that I have read the Petition, know the contents, and that the statements are true and correct.

/s/ Mike Weich  
(Signature of Affiant)

Subscribed and sworn to before me by Mike Weich,

this 14<sup>th</sup> day of September, 2020.

/s/ Annamaria Sky Huddas  
Notary Public in and for the State of Florida  
My commission expires 7/21/2022