

**IN THE IOWA DISTRICT COURT FOR POLK COUNTY**

SHELBY COUNTY, WRIGHT COUNTY,  
FLOYD COUNTY, WOODBURY COUNTY,  
DICKINSON COUNTY, KOSSUTH COUNTY,  
EMMET COUNTY, FRANKLIN COUNTY, and  
HARDIN COUNTY,

Petitioners,

and

SIERRA CLUB IOWA CHAPTER,  
Intervenor-Petitioners,

v.

IOWA UTILITIES COMMISSION f/k/a IOWA  
UTILITIES BOARD,

Respondent,

and

SUMMIT CARBON SOLUTIONS, LLC, CORN  
PROCESSORS, and IOWANS FOR A  
GROWING AGRICULTURAL ECONOMY

Intervenor-Respondents,

and

OFFICE OF CONSUMER ADVOCATE,  
Intervenor.

**NO. CVCV067849**

**IOWA FARM BUREAU  
FEDERATION'S RESPONSE TO THE  
IOWA UTILITIES COMMISSION'S  
REQUEST TO LIMIT THE  
ADMINISTRATIVE RECORD**

GREGORY KRACHT, TRUSTEE, AND ERICA  
KRACHT, TRUSTEE, OF THE GREG & ERICA  
KRACHT LIVING TRUST DATED JANUARY  
19, 2015, AND DAPEMA, LLC,

Petitioners,

and

IOWA FARM BUREAU FEDERATION,  
Intervenor-Petitioners,

v.

IOWA UTILITIES BOARD, STATE OF IOWA  
n/k/a IOWA UTILITIES COMMISSION,

Respondent.

and

SUMMIT CARBON SOLUTIONS, LLC, CORN  
PROCESSORS, and IOWANS FOR A  
GROWING AGRICULTURAL ECONOMY

Intervenor-Respondents

and

OFFICE OF CONSUMER ADVOCATE,  
Intervenor.

**NO. CVCV067874**

COMES NOW the Intervenor Iowa Farm Bureau Federation (“Farm Bureau”) in response to the District Court’s November 18, 2024, Order and the Iowa Utilities Commission’s (“Commission”) request to limit the administrative record, states as follows:

1. Farm Bureau does not object to the list of documents proposed by the Commission to be included in the administrative record.
2. Farm Bureau requests that the Commission clarify, and this Court determine whether and to what extent the “hearing transcripts,” identified as number 6 on the Commission’s proposed list, include the exhibits admitted into evidence at the hearing and the evidence judicially noticed by the Commission in accordance with Iowa Code § 17A.14(4). The transcripts generally include the cross examination of witnesses that submitted prefiled written testimony, affected landowner oral testimony, and legal arguments. Examples of the admitted exhibits include prefiled written direct testimony and exhibits, prefiled written reply testimony and exhibits, deposition transcripts of Summit Carbon Solutions witnesses, and landowner written responses to a Commission questionnaire. *See* Hrg. Tr. at 1571 and 1606 (9/5/2023); Hrg. Tr. at 1874, 1919, 2009, 2032, 2041, and 2085 (9/6/2023); Hrg. Tr. at 2996 (9/12/2023); Hrg. Tr. 3239 and 3274 (9/13/2023). Examples of judicial notice evidence include digital maps of the impacted land tracts layered over the Google Earth maps and specific government documents. *See e.g.* Hrg. Tr. at 7474 (11/8/2023), Hrg. Tr. at 205-206 (8/22/2023), and Hrg. Tr. at 1633 (9/5/2023).
3. Farm Bureau further requests that the parties be allowed to attach additional documents or document excerpts from the administrative record to filings in this proceeding if a necessary document is missing from the limited administrative record.

Respectfully submitted,

/s/ Christina L. Gruenhagen

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**ATTORNEYS FOR INTERVENOR-  
PETITIONER  
IOWA FARM BUREAU FEDERATION**

**CERTIFICATE OF SERVICE:**

I hereby certify that the foregoing document was electronically filed with the Clerk of Court on December 3, 2024, using the EDMS system which will send electronic notice of the filing to all registered parties of record.

Signature: /s/ Christina L. Gruenhagen

Christina L. Gruenhagen