

## **Litigation Update for 9/10/25 Monthly Meeting**

### **Enterprise Products Operating v. IUC (Iowa Supreme Court Case No. 24- 1648)**

- Enterprise is challenging the IUC's Order imposing a civil penalty of 200K for each of nine pipelines and/or storage facilities that had not been properly permitted under Iowa Code § 479B.73 since Enterprise purchased them in 2002.
- No date set yet for oral argument in the Iowa Court of Appeals on Enterprise's appeal from the Polk County District Court, which upheld the IUC's decision.

### **Shelby County et al v. IUC (Polk County Case No. CVCV067849, consolidated)**

- This case involves a multi-party challenge to the IUC's order of 6/25/24 which conditionally granted Summit Carbon Solution's petition to build and operate a 688 mile hazardous liquid pipeline through 29 counties in Iowa.
- Final briefs were filed on 8/22. No argument date set yet.
- Court issued a ruling on the IUC's motion from last October to dismiss the Floyd County case and certain petitioners. Motion was granted as to dismissing the Free Soil Foundation and the individual named commissioners but denied on the "failure to state a claim" grounds.

### **Swan Lake v. IUC (Polk County Case No. CVCV068000)**

- This case arises from Swan Lake Road Farms' appeal of the IUC's granting of ITC Midwest's petition for an electric franchise for approximately 4.8 miles of transmission line in Johnson County, IA.
- Case was argued in February. Still awaiting ruling from district court.

### **Hawkeye Land Co. v. IUC and Metronet (Linn County Case No. CVCV108100)**

- Hawkeye Land is challenging the 4/17/25 decision of the Iowa Utilities Commission determining that Metronet's crossing at a certain intersection in Mitchellville, Iowa falls within the scope of Iowa Code § 476.27, and that Hawkeye Land Company is thus entitled to damages in the amount of \$750.00 for Metronet's railroad crossing at this location.
- Answers have been filed by the IUC and Metronet,
- No briefing schedule has been set yet.

**LS Power Midcontinent LLC and SW Transmission v. IUC and MidAmerican  
(Iowa Supreme Court Case No. 24-0641)**

- Opinion issued 5/30/25; Procedendo issued 7/1/25.
- Court affirmed the permanent injunction limiting the utilities' participation in certain electric transmission projects awarded under Iowa Code § 478.16, which was found by the Court to be unconstitutional from its inception.
- The utilities were advised to seek any further relief as to whether they could proceed without rebidding with FERC in a federal forum.