

IN THE IOWA DISTRICT COURT FOR LINN COUNTY

HAWKEYE LAND COMPANY,

Petitioner,

vs.

**IOWA UTILITIES COMMISSION and
METRO FIBERNET LLC d/b/a
METRONET,**

Respondents.

CASE NO. CVCV108100

RESPONDENT IUC'S ANSWER

COMES NOW Respondent Iowa Utilities Commission ("IUC"), by and through its undersigned counsel, and for its Answer, respectfully states as follows:

1. The allegations of paragraph 1 are admitted.
2. The allegations of paragraph 2 are denied for lack of information.
3. The allegations of paragraphs 3 through 5 are admitted.
4. As to the allegations of paragraph 6, respondent IUC admits that Hawkeye Land Company's complaint with the IUC was filed on December 20, 2024. Any and all remaining allegations of paragraph 6 are denied.
5. The allegations of paragraph 7 are denied.
6. The allegations of paragraph 8 are admitted with the clarification that the cited rule is specifically 199 IAC 42.6(1)(b).
7. The allegations of paragraph 9 are denied for lack of information.
8. The allegations of paragraphs 10 through 15 are denied.

AFFIRMATIVE DEFENSES

1. The Respondent IUC's actions are supported by substantial record evidence, including controlling legal authority.

2. There is no error of law for this Court to correct.
3. Petitioner has failed to state a claim upon which relief can be granted.
4. Petitioner has failed to meet their burden of proof.

WHEREFORE, Respondent Iowa Utilities Commission respectfully requests the decision of the Iowa Utilities Commission be affirmed, the petition for judicial review be dismissed, and the costs be taxed to Petitioner.

Respectfully submitted,

/s/ Michelle E. Rabe

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Iowa Utilities Commission

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**ATTORNEY FOR RESPONDENT
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ALL PARTIES SERVED ELECTRONICALLY