Iowa Utilities Commission

Litigation Update – September 2026

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

- Enterprise is challenging the IUC's order imposing a civil penalty of $200,000 for each of seven pipelines and two storage facilities that had not been properly permitted under Iowa Code § 479B.3 since Enterprise purchased them in 2002.

- The appellate portion of this case is now concluded after the Iowa Supreme Court issued its ruling on 6/6/26, reversing both the lower courts and holding that all the permit violations were "one related series" and thus the maximum fine that can be imposed was $200,000.

- The district court issued an order on July 23, 2026, imposing the $200,000 penalty, which Enterprise indicated was paid on August 26, 2026. The penalty was paid to the Polk County Clerk of Court and it will now need to be redirected to LIHEAP.

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

- This is the Summit Pipeline case involving a multi-party challenge to the IUC's order of June 25, 2024, which conditionally granted Summit Carbon Solution's petition to build and operate a 688-mile hazardous liquid pipeline through 29 counties in Iowa.

- The case was remanded from the district court back to the IUC after Summit filed a Petition to Amend the IUC's order of June 25, 2024, and requested the remand.

- The IUC issued a issued an Order on June 30, 2026, noting that the District Court's remand had been narrowed considerably from the original remand of December 19, 2025 ,to the subsequent one on January 16, 2026, essentially limiting the issue just to the impact of SD House Bill 1052 on the IUC's original order.

- The IUC went on to hold that "Ordering Clause 5 of the Utilities Commission's June 25, 2024 Final Decision and Order shall be amended to state: "Summit Carbon Solutions, LLC, shall not commence construction on any segment of pipe in Iowa until it has obtained agency-level or substantially similar approval for a

route and sequestration site." The IUC also declined to issue a stay of the agency proceedings while the appeal is pending.

- The Counties filed a motion for stay on July 7, 2026, later joined by petitioners Jorde Landowners and Sierra Club, asking the District Court to stop all proceedings at the agency level on Summit's amendments until the appeal is concluded. Both Summit and the IUC filed resistances to the stay.

- On July 20, 2026, Farm Bureau filed an appeal of IUC's denial of the stay, joined by the Hirth petitioners on July 30, 2026. The IUC and Summit filed their responses on August 17, 2026.

- All responses and replies have been filed and no date for hearing has been set for either of these motions in district court.

Swan Lake Road Farms v. IUC **(Iowa Supreme Court Case No. 25-1717)**

- This case arises from Swan Lake's 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, Iowa.

- The district court issued its ruling on September 30, 2025, affirming the IUC's decision to grant the franchise, but also holding that because the Iowa statute [306.46] expanding the scope of a public road easement was not enacted until 2004, and the public road right-of-way in this case predated 2004, the utility's actions constituted a taking for which the landowners are entitled to just compensation.

- Both Swan Lake and ITC Midwest appealed the district court's decision to the Iowa Supreme Court. The Iowa Supreme Court has decided to retain, or keep, the case and oral argument is set for 9/10/26 at 1:30 at the Iowa Judicial Branch Bldg.

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

- Hawkeye Land is challenging the April 17, 2025 decision of the IUC 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 fixed damages in the amount of $750 for Metronet's railroad crossing at this location.

- The District Court issued a briefing schedule on 3/26/26. All briefs have now been filed by all parties, including intervenors, and the court has indicated it will decide whether to set the case for oral argument or just rule based on the briefs and the agency record.

- The District Court issued a decision on August 24, 2026, in favor of the IUC and Metronet, finding that both the $750 in damages for the crossing and the IUC's order that the two parties split the costs was appropriate Hawkeye Land's deadline to appeal to the Iowa Supreme Court is September 23, 2026.

Cerro Gordo County v. IUC (Polk County Case No. CVCV071416)

- Cerro Gordo County filed a petition in Polk County District Court on July 13, 2026, challenging the IUC's Order of April 27, 2026, issuing a generating certificate to River City Energy for a 500 megawatt solar generating facility and its associated structures and components in Cerro Gordo County after finding that the proposed project satisfied the criteria of Iowa Code § 476A.6.

- Both River City and the Office of Consumer Advocate filed motions to intervene in the district court appeal which were granted by the court on August 11, 2026.

- The IUC and River City have both filed timely answers to the petition, and the IUC is in the process of preparing and submitting the agency record to the district court.

- On 8/12/26, the district court issued a scheduling order requiring the petitioner's brief to be filed by September 11, 2026; respondents' briefs by October 11, 2026; and the reply brief by October 26, 2026. In that same order, the district court also set the hearing on the merits of the case for November 6, 2026, at 8:30 a.m. in room HC270 of the Polk County Courthouse.

- The parties agreed that this schedule was too expedited in that it did not give adequate time for briefing, and the Court then asked for alternative dates. Cerro Gordo and intervenor River City have not been able to agree on a timeline and the Court will likely now set a status hearing.

Kelly Goodwin-Ackerman v. IUC (Benton County Case No. CVCV011330)

- Ms. Goodwin-Ackerman is a resident of Atkins, Iowa who filed a petition for judicial review in Benton County District Court on August 19, 2026, challenging the IUC's action in docket no. GCU-2026-0002 regarding her request to intervene in the docket on July 9, 2026.

- This docket concerns the Morgan Valley Energy Center and is still in its relatively early stages of scheduling and procedure. The IUC has not issued a final order.

- The IUC will file a timely answer or a motion to dismiss Ms. Goodwin-Ackerman's petition by September 14, 2026.