

**STATE OF IOWA**  
**BEFORE THE IOWA UTILITIES COMMISSION**

<p>IN RE: SUMMIT CARBON SOLUTIONS, LLC</p> <p>PETITION FOR HAZARDOUS LIQUID PIPELINE PERMIT</p>	<p>DOCKET NO. HLP-2021-0001</p> <p>APPLICATION FOR RECONSIDERATION &amp; JOINDER</p>
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COMES NOW Gordon Garrison, pro se intervenor, and states as follows:

On June 25, 2024 the Iowa Utilities Commission (“Commission”) filed Final Decision and Order, which, subject to conditions, granted Summit Carbon Solutions, LLC (“Summit”) a permit to operate a hazardous liquid pipeline and vested the company with the right of eminent domain.

Under 199 Iowa Administrative Code 7.27(1), “Any party to a contested case may file an application for rehearing or reconsideration of the final decision.” Garrison is one of 219 parties to the case. See Final Order at pg. 8.

On July 12, 2024 the Counties filed Motion to Reconsider Final Decision and Order and on July 15, 2024 Sierra Club and Jorde Landowners filed additional applications for rehearing or reconsideration. Garrison agrees with arguments presented by the Counties, Sierra Club, and Jorde Landowners in regards to erroneous findings of fact and conclusions of law and adopts and incorporates here the arguments therein.

In addition to the Counties’, Sierra Club’s and Jorde Landowners’ arguments, Garrison states:

1. The Commission found that Summit's project would provide a benefit to Iowans via a reduction in carbon dioxide emissions that contribute to climate change. Evidence was not provided regarding the life cycle of the project, merely the purported amount of CO2 Summit hopes to capture. Without knowing Summit's total energy consumption, fossil fuel energy use, water consumption, and emissions of greenhouse gases for the duration of the project, it is impossible to know if there is truly a reduction. This is a valid area for concern as Jorde Landowners' Ex. 7 explains, "CCS/CCUS is an unproven, profligate technology scheme that's already cost taxpayers billions of dollars while putting Indigenous and other environmental justice communities at increased risk for disproportionate impacts including, but not limited to, exposure to toxic emissions and explosions due to ruptured and malfunctioning pipelines. In fact in certain cases, such as the Quest Plant in Alberta, Canada, CCS/CCUS actually released more carbon dioxide than it sequestered." (emphasis added)
2. The Commission claims that federal policy is a factor weighing heavily in Summit's favor. The Commission did not address the federal policies, such as environmental justice, that weigh against Summit despite their inclusion in the record. See Jorde Landowners' Ex. 5, 6, 7.
3. The Commission found Summit to be a common carrier. Summit is not a common carrier. Summit owns the CO2. Tr. Vol. 8 1999:18-21. A common carrier provides a service to the public. Transporting your own product is not providing a service to the public.

4. In granting eminent domain rights over the Garrison property, the Commission only considered the alternative route presented by the landowner. The presence of two federally endangered species' habitats, the Poweshiek skipperling butterfly and the rusty patched bumble bee, was not factored into the decision, nor was the environmental and cultural significance of the area. The Commission also ruled that comments and objections would be added into evidence on November 8, 2023 and given the weight due. Tr. Vol. 25 7477: 1-7. The numerous submissions made to the docket by Garrison appear to have been given no weight at all despite containing information relevant to the Commission's decision. Summit did not provide evidence showing that the affected parcels owned by Garrison were necessary. Further, it was not addressed why a bend was placed in the proposed route on H-EM-005, forcing the pipeline to travel through H-EM-004 as well when H-EM-005 alone should have been a viable option. As such, the Commission should reconsider the decision granting eminent domain powers over H-EM-004 and H-EM-005.

WHEREFORE, Garrison requests that the Commission reconsider its Final Decision and Order

Respectfully submitted,

/s/ Gordon Garrison  
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