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EXHIBIT B

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October 30, 2024

Bret A. Dublinske
Fredrikson & Byron, P.A.
111 East Grand Avenue, Suite 301
Des Moines, IA 50309
E-mail: bdublinske@fredlaw.com

RE: Bremer County Ordinance 24-09 (Utility Work in Right of Way)

Dear Mr. Dublinske,

We are aware that your client, Summit Carbon Solutions, LLC, is planning to build a carbon dioxide pipeline across Bremer County and has submitted a petition for a permit from the Iowa Utilities Commission, which has assigned the petition Docket No. HLP-2024-0001.

As you may be aware, Bremer County has a right-of-way management ordinance that may affect the construction of your pipeline. Iowa law requires your client to comply with all lawfully enacted ordinances of Bremer County unless or until those ordinances are enjoined by a court of competent jurisdiction. No court of competent jurisdiction has at this time enjoined Bremer County's Ordinance 24-09.

However, at a public meeting of the Bremer County Board of Supervisors on August 20, 2024, Mr. Grant Terry, a representative of Summit ("Terry"), made several comments that are of great concern to the county.

First, according to information and belief, Terry stated publicly that "According to Iowa law, pipeline companies need to get approval from highways, railroads, federal and state agencies when they apply to build a pipeline. These laws don't mention local town or city governments, implying that local municipalities are not supposed to be part of the approval process for pipeline construction."

It seems that Terry was unaware that under Iowa Code chapter 318, Bremer County is a "highway authority," the definition of which "means the county board of supervisors, in the case of secondary roads..." Iowa Code § 318.1(2). Additionally, Terry seems to have been unaware of Iowa Administrative Code rule **199—13.12(479B) Crossings of highways, railroads, and rivers** which preserves the jurisdictional interest of Bremer County in issuing permits for county road crossings. The Iowa Utilities Commission also requires an

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applicant for a pipeline permit to identify every public right-of-way in the county that is proposed to be crossed by the pipeline.

Second, Terry made claims to the effect that Iowa Code § 320.4 prevents the county from requiring hazardous liquid pipeline companies to obtain road crossing permits prior to construction. This is an inaccurate statement as to the county's authority to permit road crossings by pipeline companies. Ordinance 24-09 was adopted pursuant to Iowa Code chapters 306, 318, and 331. No part of the ordinance refers to or relies on Iowa Code § 320.4 which is entirely inapplicable to the ordinance.

Of relevance here is Iowa Code § 318.8 which provides that "A person shall not excavate, fill, or make a physical change within a highway right-of-way without obtaining a permit from the applicable highway authority." Thus, your client is required to seek a permit from the county before constructing a pipeline across any road in the county not under the jurisdiction of another highway authority. Iowa Administrative Code rule **199—13.12(479B)** is in accord with chapter 318 and settles this issue beyond any doubt.

Finally, Terry claimed that "The proposed ordinance would impose additional local requirements on an activity that the state and federal regulatory bodies already govern and permit." This, too, is plainly inaccurate. The state of Iowa has granted authority over the secondary roads to county supervisors, the Iowa Utilities Commission's regulations support that authority, and federal law leaves the siting and routing of pipelines to state and local authorities.

Please notify your client that Bremer County formally requests its attendance at a public meeting of the Board of Supervisors on November 19, 2024, to discuss the company's compliance with the county's ordinances. In particular, the county requests that Mr. Terry appear and correct the inaccurate statements he made to the Board of Supervisors on August 20, 2024.

This letter is also sent in order to provide notice of the possible consequences for lack of compliance with any Bremer County ordinances. It is our hope that this problem will be resolved and no further action will be necessary. Please be advised that any non-compliance with Bremer County ordinance can result in all available legal remedies being pursued.

Finally, please find enclosed the county's Utility Work in Right of Way Ordinance (24-09) for your review. If you have any questions or concerns, please contact us.

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Sincerely,

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cc: Bremer County Board of Supervisors