

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

IN RE: REVIEW OF ASSESSMENTS RULES [199 IAC CHAPTER 17]	DOCKET NO. RMU-2016-0025
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COMMENTS

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, files its Comments in response to the Iowa Utilities Board's (Board) Order Requesting Stakeholder Comment on Potential Rule Changes issued on February 21, 2018. The Board is commencing this rule making to update or eliminate rules that are outdated or inconsistent with statutes and other administrative rules. These rules describe and implement the method the Board uses to assess expenses incurred by the Board and the Consumer Advocate on utilities and other parties pursuant to Iowa Code sections 476.10, 476.10A, and 476.101(7) and Iowa Code chapter 477C (2017). OCA supports this rule making to update the rules in 199 IAC Chapter 17. OCA appreciates the opportunity to provide comments addressing the proposed rulemaking.

Item 1. Rule 199 IAC 17.1. This rule is amended to state "The consumer advocate shall determine and certify the advocate's direct and remainder assessments to the board." OCA would ask that the following language be added to the end of the sentence to identify to the reader where the authority for the assessments can be found "pursuant to Iowa Code section 475A.6."

Item 2. Rule 199 IAC ch. 17 General. Rule 17.1 states "The purpose of this chapter is to describe the method the board uses to assess expenses incurred by the board on utilities and other parties pursuant to Iowa Code sections 476.10, 476.10A, and 476.101(7), and Iowa Code chapter 477C." Rule 17.2(1), (2), and (3) define direct assessment, industry direct assessment

and remainder assessment. There is no rule that describes the method the Board uses to assess direct assessments, industry direct assessments, and remainder assessments on utilities and other parties.

CONCLUSION

OCA appreciates the opportunity to provide the Board these comments addressing the proposed rule amendments in chapter 17 and urges the Board to further refine and amend the proposed rules as suggested herein. OCA may wish to respond to other comments and will at that time provide those reply comments. OCA will be pleased to participate in any further proceedings the Board may wish to conduct on these proposed rule amendments.

Respectfully submitted,

/s/ Mark R. Schuling

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