

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: REVIEW OF ELECTRIC SERVICE RULES [199 IAC CHAPTER 20]	DOCKET NO. RMU-2016-0008
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ORDER ADOPTING AMENDMENTS

(Issued November 9, 2018)

BACKGROUND

The Utilities Board (Board) is conducting a comprehensive review of its administrative rules in accordance with Iowa Code § 17A.7(2). The purpose of this review is to identify and update or eliminate rules that are outdated or inconsistent with statutes and other administrative rules. The Board's review of its rules at 199 Iowa Administrative Code chapter 20, "Service Supplied by Electric Utilities," has been docketed as Docket No. RMU-2016-0008.

On April 11, 2018, a Notice of Intended Action (NOIA) regarding the Board's proposed changes to chapter 20 was published in the Iowa Administrative Bulletin. The proposed amendments have been identified by the Administrative Code Editor as ARC 3726C.

Following publication of the NOIA, the Board received written comments from MidAmerican Energy Company (MidAmerican); the Iowa Association of Electric Cooperatives (IAEC); Interstate Power and Light Company (IPL); the Environmental Law and Policy Center (ELPC); Professional Property Management (PPM); and the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice.

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The Board also held an oral comment presentation on May 16, 2018, at which OCA, MidAmerican, IPL, IAEC, PPM, ELPC, and the Iowa Association of Municipal Utilities (IAMU) participated.

Following the oral comment presentation, the Board received additional written comments from OCA, IAEC, IPL, MidAmerican, PPM, and IAMU. The Board also received joint comments from the Large Energy Group and Resale Power Group of Iowa. Golden Grain Energy, LLC, also filed comments in this docket.

ADOPTED RULES

The “Adopted and Filed” attached to this order shows the amendments the Board is adopting. The Board is generally adopting the changes published under the NOIA. The Board has made some non-substantive changes for grammar and style. Additionally, in response to the feedback of stakeholders, the Board is adopting other changes as noted below.

A. Regional Transmission Market Definitions

In response to comments from IPL, OCA, and MidAmerican, the Board is adopting a definition for “capacity” and striking the definitions of “economy energy,” “firm power,” “operational control energy,” “outage energy,” and “participation power” from subrule 20.1(3). The parties agree that the five terms being stricken are outdated in a regional transmission market environment. The Board is adopting a definition of “capacity” different from what either OCA or IPL suggest. OCA’s proposed definition is not sufficient because it does not account for consumption, while IPL’s proposed definition is also too limited because it focuses solely on equipment capability. The Board will instead adopt a modified version of the

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definition of capacity used by the Midcontinent Independent System Operator (MISO) that is broad enough to cover the various uses of “capacity” throughout the chapter. The Board is also adopting a corresponding amendment to subparagraph 20.9(2)(b)(5) to reflect the changes to the definitions section.

B. Master Metering

The Board is also making several amendments to the master metering rules for multioccupancy buildings in paragraph 20.3(1)(b) in response to the comments of multiple parties. IPL stated in its comments that it has three issues with the proposed rules. IPL believes further clarity is needed regarding ancillary issues such as customer charges, appropriate rate classes, and usage blocks. It also seeks clarity about how the savings would be calculated and has concerns that landlords may be charging more for energy than they pay to their utilities for that energy. IPL also expressed support for the proposed 30 percent threshold to qualify for master metering and opposed any alternative means of qualifying. IPL also opposes allowing alternative energy sources, such as rooftop solar, to count toward the eligibility threshold.

In its comments, MidAmerican also opposes lowering the threshold from 30 percent. MidAmerican further states it could support alternative means of qualifying for master metering, such as comparing the energy savings of customers with the standards found in MidAmerican’s then-current energy efficiency plan.

OCA generally supports the Board’s proposal regarding master metering. OCA suggests lowering the threshold to 20 percent to make it more readily achievable. OCA asserts that 30 percent savings would require extraordinary

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efficiencies that would undermine the rule's purpose and use. OCA supports the use of a third-party verification of energy savings to qualify for eligibility. OCA proposes that a licensed architect or engineer, or a certified Residential Energy Services Network Home Energy Rating System (RESNET HERS) rater, could make such a determination. OCA also states that existing rules address many of IPL's concerns, especially with regards to the reselling of electricity, since the current rule requires master metered buildings to either include utilities as an undisclosed portion of the rent or, if separately billed, to not charge tenants more than what the utility charges.

PPM generally supports the Board's revisions regarding master metering. It supports lowering the threshold to 20 percent, especially for existing buildings. PPM also supports the use of Energy Star ratings as an alternate means of qualifying, with a rating of 90 or better required for new construction and 80 or better for existing buildings necessary to qualify for master metering. PPM also supports the use of independent, third-party professionals to determine whether a building would qualify, and acknowledges that the property owner should pay for that test.

The ELPC generally supports the addition of master metering rules to solve the split-incentive problem and supports a lowering of the threshold to 20 percent. ELPC asserts the rule proposed in the NOIA is ambiguous in some aspects, such as how the determination of eligibility would be made and what time frame would be considered.

After reviewing the comments, the Board has made some changes to the proposed rule. The Board will adopt a 30 percent threshold for new construction, but finds that such a standard likely is not feasible for existing structures with more

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limited ways of readily achieving energy savings. The Board will therefore set a threshold of 20 percent for existing buildings. The Board also agrees that a qualified third-party should make findings as OCA and PPM propose, while still giving a utility or other interested party a chance to challenge any such determination. The Board also has made some formatting changes in an effort to improve the ease of reading the rule.

The Board agrees with IPL that renewable generation, such as rooftop solar, should not be credited toward the eligibility determination. With respect to IPL's concerns about property owners potentially reselling electricity, the Board believes the current rule sufficiently addresses that issue. Landlords may either include utilities as an undisclosed portion of the rent, or separately charge for the utilities. If landlords separately charge, they cannot charge the tenants more than what they paid the utilities. Additionally, the Board believes any issues regarding applicable rate classes, customer charges, and other fees or conditions of service should be addressed in each utility's tariffs as determined as part of a general rate case proceeding or other tariff filing as applicable.

The Board is not implementing any alternative means of qualifying, such as an Energy Star rating or a comparison with the standards in a utility's energy efficiency plans. The Board agrees with OCA and others that the criteria should be objective, clear, and easy to understand. Adding alternative means of qualifying would reduce the clarity of the rule.

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C. Comprehensive Meter Replacement Programs

In the NOIA, the Board proposed a new subrule, 20.6(8), regarding comprehensive meter replacement programs. The new rule was proposed to eliminate the need for utilities to ask for a waiver of the Board's meter testing rules.

All parties generally supported the new rule. IAEC proposed a revision to allow utilities the option to test a statistical sample of removed meters rather than a set ten percent of removed meters. MidAmerican states it would support either a statistical sample or the ten percent standard. MidAmerican also expressed a desire for assurance that waivers would remain available for programs that may not fall directly or completely under this rule.

OCA was generally supportive of the proposed rule, but suggested additional language consistent with the conditions the Board's prior orders granting waivers for these types of programs, including time limits and additional information to be included in any notifications filed with the Board. OCA also proposed adding a reporting requirement following the completion of any programs undertaken pursuant to this rule. OCA did not support the use of a statistical sample in lieu of 10 percent of removed meters.

The Board will adopt most of the changes proposed by OCA. The Board agrees a three-year limit should be sufficient for utilities to implement such programs, and agrees the utilities should inform the Board how long they intend to forego their meter testing rules and how many meters will be affected. The Board will also make explicit the requirement that utilities shall test the meters upon customer request based on the customer's experience with both the old and new meters. The Board

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will not adopt OCA's requirement for a report following the conclusion of such programs. If the Board believes a report is necessary, it can ask for one on a case-by-case basis; it does not need to be a requirement in the rules.

The Board will also adopt the change supported by IAEC and MidAmerican to allow utilities the option to test a statistical sample rather than a set 10 percent of meters. The Board believes a statistical sample in accordance with a recognized industry standard is sufficient, especially since utilities will be required to test any meter upon customer request or that is removed for any other reason. The utility will be required to state the standard used to determine the statistical sample size and must be able to provide the full text of the standard to the Board upon request.

D. Procurement Plans

The Board originally proposed striking the list of requirements contained in rule 20.13 in order to streamline the process and add more flexibility. Both OCA and MidAmerican opposed this change and encourage the Board to maintain the list to provide certainty. The Board will therefore maintain the list of requirements for procurement plans in subrule 20.13(1). The Board will adopt other revisions to the rule, including the rescission of subrule 20.13(2) and amendments to the introductory paragraph.

E. Other Issues Raised by Stakeholders

IAEC suggested replacing the term "major storm" with "major event" in rule 20.18(5)(b) and defining it with a cross reference to a U.S. Department of Agriculture Rural Services Bulletin. OCA supported replacing "major storm" with "major event," but did not support adopting IAEC's proposed definition. Instead, it supports utilizing

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the definition currently set forth in rule 20.18(4). The Board notes that the definitions contained in 20.18(4) apply to the entirety of rule 20.18. Consequently, it cannot adopt a conflicting definition of “major event” in 20.18(5)(b) when that term is already defined in 20.18(4). Additionally, the current rule purposely uses “major storm” separately from “major event” because the former is meant to cover just specific weather events while the latter is more expansive. The Board will therefore not adopt the proposed changes at this time.

Several parties supported changing tariff notation requirements in rule 20.2 while OCA opposed such changes. The Board notes that these notations are consistent across all of the regulated industries and are found in chapters 19, 20, 21, and 22 of the Board’s rules. The Board does not believe changing them solely in chapter 20 to the exclusion of other chapters would be beneficial. If the parties wish to initiate a comprehensive review of the tariffing process across all regulated industries, they may propose rules in a separate rule-making docket. The Board will not adopt such changes in this rule making, however.

OCA objected to the addition of subrule 20.3(12), which involves adopting language about prepaid meters from the corresponding rule in chapter 19 regarding natural gas service. OCA argues prepaid meters are likely to be far more prevalent in electric service and notes that the issue was discussed comprehensively in Docket No. NOI-2011-0001. It therefore argues that the rule should not be adopted without further discussion or additional customer safeguards. The Board does not believe that the enactment of this subrule will result in any immediate impact on the use of prepaid meters. The subrule only formalizes the requirement that rates must be the

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same regardless of meter type, except as otherwise allowed by a tariff filed with and approved by the Board. The Board notes the corresponding subrule in chapter 19 has been in effect for a significant amount of time without issue. The Board will therefore adopt the rule as proposed in the NOIA.

Many parties suggest various changes to the Board's customer service provisions contained in rule 20.4. The Board is currently adopting changes meant to conform the provisions of 19.4 and 20.4 to the greatest extent possible. The Board also notes that it intends to explore the option of consolidating all of its customer service rules into a single chapter. The Board will therefore not make any further changes, except for minor non-substantive changes for grammar or style, to its customer service rules beyond those that were published in the NOIA. The Board invites the parties to suggest further changes at the time it opens up a rule making specific to customer service rules.

IAEC and IPL initially proposed some changes due to statutory changes made effective by the enactment of Senate File 2311. However, in comments filed after the oral comment presentation, IAEC, IPL, and IAMU stated that they would suggest such changes in a future rulemaking so as to not delay the completion of this rule-making docket. OCA supports separate rule makings for such changes. The Board will therefore not adopt any of the IAEC and IPL proposed changes relating to Senate File 2311 at this time.

MidAmerican expressed concern regarding a change in rule 20.3(13) that eliminated the term "electrical line extensions" from the definition of "contribution in aid of construction." The Board notes that the proposed change is consistent with

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prior amendments adopted as part of Docket No. RMU-2008-0008, which removed the option of a contribution in aid of construction for electrical line extensions in favor of advances for construction. The Board will therefore adopt the change to the definition.

IPL proposed moving language regarding class load dates from chapter 35 to chapter 20. The Board will not adopt such changes in this rule making, but invites IPL to propose this as part of Docket No. RMU-2016-0018, which involves chapter 35 of the Board's rules.

IPL suggested the Board review rule 20.3(13)(d) and eliminate any language that implies or expresses a preference for underground or overhead service lines to the detriment of the other. IPL did not note any specific language to be amended or rescinded. The Board has reviewed the rule and is not adopting any changes.

Golden Grain proposed amendments to rule 20.14(2) regarding flexible or discounted rates. Specifically, Golden Grain argues the requirement that a discounted rate be offered to all "directly competing customers" is unnecessary and ineffective. The Board notes that Golden Grain filed its comments on September 28, 2018, and consequently other parties have only been given an abbreviated amount of time to review its proposal. The Board will not adopt Golden Grain's proposed changes at this time, but invites Golden Grain to suggest changes in a future rule making if it wishes.

CONCLUSION

The Board is adopting Items 1 through 61 of the attached "Adopted and Filed." The "Adopted and Filed" will be submitted for publication in the Iowa Administrative

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Bulletin, and the amendments will become effective 35 days following publication pursuant to Iowa Code § 17A.5(2). The published rules may contain additional, non-substantive editorial changes.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. Items 1 through 61 of the attached "Adopted and Filed" amending Chapter 20 of the Board's rules are hereby adopted.
2. The "Adopted and Filed" shall be submitted for publication in the Iowa Administrative Bulletin.
3. The amendments shall become effective 35 days after publication in the Iowa Administrative Bulletin.

UTILITIES BOARD

/s/ Geri D. Huser

/s/ Nick Wagner

ATTEST:

/s/ Mack Thompson /s/ Richard W. Lozier Jr.

Dated at Des Moines, Iowa, this 9th day of November, 2018.

UTILITIES DIVISION[199]

Adopted and Filed

Rule making related to _____

The Utilities Division hereby amends Chapter 20, "Service Supplied By Electric Utilities," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 474.5 and 476.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 476.2, 476.6, 476.8, 476.20, 476.54, 476.66 and 546.7.

Purpose and Summary

The Board is conducting a comprehensive review of its administrative rules in accordance with Iowa Code section 17A.7(2). The purpose of this review is to identify and update or eliminate rules that are outdated or inconsistent with statutes and other administrative rules. Additionally, the Board is proposing to amend Chapter 20 by adding provisions regarding meter testing to eliminate the need for future waivers, updating its customer service rules, and addressing issues regarding master metering.

The Board issued an order commencing rule making on February 23, 2018. The order is available on the Board's electronic filing system, efs.iowa.gov, under Docket No. RMU-2016-0008.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 11, 2018, as **ARC 3726C**.

A public hearing was held on May 16, 2018, at 9 a.m. at Board Hearing Room, 1375 E. Court Ave., Des Moines, Iowa.

The Board received comments from the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, as well as Interstate Power and Light Company, MidAmerican Energy Company, the Iowa Association of Electric Cooperatives, the Environmental Law and Policy Center, Professional Property Management, and the Iowa Association of Municipal Utilities.

The Board received comments from the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, as well as Interstate Power and Light Company, MidAmerican Energy Company, the Iowa Association of Electric Cooperatives, the Environmental Law and Policy Center, Professional Property Management, the Iowa Association of Municipal Utilities, Golden Grain Energy, LLC, and jointly from the Large Energy Group and Resale Power Group of Iowa.

Although the majority of the rules being proposed are identical to those published in the Notice of Intended Action, the Board is adopting some additional changes in response to stakeholder comments received at both the oral comment proceeding and filings in the Board's electronic filing system. There are several non-substantive grammatical or formatting changes made for ease of reading. The Board is also adopting a definition of "capacity" and striking five other definitions that are outdated in a regional transmission market environment. These changes are made in subrule 20.1(3) and subparagraph 20.9(2)"b"(5).

The Board has also revised portions of subparagraph 20.3(1)(b) regarding master metering rules in response to comments from numerous parties. Specifically, the Board is lowering the qualifying threshold for existing buildings from what was proposed in the Notice of Intended Action and adding more specificity about how a property owner may establish such qualifications. The Board has also made some formatting changes.

The Board is also making changes to new subrule 20.6(8) regarding comprehensive meter replacement programs. The subrule now contains time limits and a requirement to test a meter upon customer request. It also allows utilities to test a statistical sample of meters rather than a flat ten percent of meters removed.

The Board is no longer striking the list of requirements for procurement plans in rule 20.13 in response to objections from

MidAmerican and OCA.

Adoption of Rule Making

This rule making was adopted by the Utilities Division on November 9, 2018.

Fiscal Impact

These proposed amendments update and amend existing rules. No additional actions having a fiscal impact are being proposed.

Jobs Impact

After analysis and review, the Board concludes that the amendments will not have a detrimental effect on employment in Iowa.

Waivers

No waiver provision is included in the proposed amendments since the Board has a general waiver provision in rule 199—1.3(17A,474,476) that provides procedures for requesting a waiver of the rules in this chapter.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 9, 2019.

The following rule-making action is adopted:

ITEM 1. Amend subrule 20.1(2) as follows:

20.1(2) Application of rules. The rules shall apply to any electric utility operating within the state of Iowa subject to Iowa Code chapter 476, and to the construction, operation and maintenance of electric transmission lines to the extent provided in Iowa Code chapter 478, and shall supersede all tariffs on file with the board which are in conflict with these rules.

These rules are intended to promote safe and adequate service to the public, to provide standards for uniform and reasonable practices by utilities, and to establish a basis for determining the reasonableness of such demands as may be made by the public upon the utilities.

A request to waive the application of any rule on a permanent or temporary basis may be made in accordance with ~~199—1.3(17A,474,476,78GA,HF2206)~~ 199—1.3(17A,474,476).

The adoption of these rules shall in no way preclude the board from altering or amending them pursuant to statute or from making such modifications with respect to their application as may be found necessary to meet exceptional conditions.

These rules shall in no way relieve any utility from any of its duties under the laws of this state.

ITEM 2. Amend subrule 20.1(3) as follows:

20.1(3) Definitions. The following words and terms, when used in these rules, shall have the meaning indicated below:

“*Acid Rain Program*” means the sulfur dioxide and nitrogen oxides air pollution control program established pursuant to Title IV of the Act under 40 CFR Parts 72-78.

“*Act*” means the Clean Air Act, 42 U.S.C. Section 7401, et seq., ~~as amended by Pub. L. 101-549, November 15, 1990.~~

“*Affected unit*” means a unit or source that is subject to any emission reduction requirement or limitation under the Acid Rain Program, the Clean Air Interstate Rule (CAIR), ~~or the Clean Air Mercury Rule (CAMR)~~ the Cross-State Air Pollution Rule (CSAPR), or the Mercury and Air Toxics Standards (MATS), or a unit or source that opts in under 40 CFR Part 74.

“*Allowance*” means an authorization, allocated by the United States Environmental Protection

Agency (EPA), to emit sulfur dioxide (SO₂) under the Acid Rain Program, to emit sulfur dioxide (SO₂), any or SO₂ and nitrogen oxide (NO_x) emissions subject to under the Clean Air Interstate Rule (CAIR), or mercury (Hg) emissions subject to the Clean Air Mercury Rule (CAMR), and the Cross-State Air Pollution Rule (CSAPR) during or after a specified calendar year.

~~“Allowance forward contract” is an agreement between a buyer and seller to transfer an allowance on a specified future date at a specified price.~~

“*Allowance futures contract*” is an agreement between a futures exchange clearinghouse and a buyer or seller to buy or sell an allowance on a specified future date at a specified price.

~~“Allowance option contract” is an agreement between a buyer and seller whereby the buyer has the option to transfer an allowance(s) at a specified date at a specified price. The seller of a call or put option will receive a premium for taking on the associated risk.~~

“*Board*” means the utilities board.

“Capacity” means the instantaneous rate at which energy can be delivered, received, or transferred, measured in kilowatts.

“*Clean Air Interstate Rule*” or “*CAIR*” means the requirements EPA published in the Federal Register (70 Fed. Reg. 25161) on May 12, 2005.

~~“Clean Air Mercury Rule” or “CAMR” means the requirements EPA published in the Federal Register (70 Fed. Reg. 28605) on May 18, 2005.~~

“*Complaint*,” as used in these rules, is a statement or question by anyone, whether a utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation.

“*Compliance plan*” means the document submitted for an affected source to the EPA which specifies the methods by which each affected unit at the source will meet the applicable emissions limitation and emissions reduction requirements.

“Cross-State Air Pollution Rule” or “CSAPR” means the requirements established by EPA in 40 CFR 97 Subparts AAAAA, BBBB, CCCCC, and DDDDD as amended by 81 FR 13275 (March 14, 2016).

“*Customer*” means any person, firm, association, or corporation, any agency of the federal, state or local government, or legal entity responsible by law for payment for the electric service or heat from the electric utility.

“*Delinquent*” or “*delinquency*” means an account for which a service bill or service payment agreement has not been paid in full on or before the last day for timely payment.

“*Distribution line*” means any single or multiphase electric power line operating at nominal voltage in either of the following ranges: 2,000 to 26,000 volts between ungrounded conductors or 1,155 to 15,000 volts between grounded and ungrounded conductors, regardless of the functional service provided by the line.

~~“*Economy energy*” is energy bought or sold in a transaction wherein the supplier’s incremental cost is less than the buyer’s decremental cost, and the differential in cost is shared in an equitable manner by the supplier and buyer.~~

“*Electric plant*” includes all real estate, fixtures and property owned, controlled, operated or managed in connection with or to facilitate production, generation, transmission, or distribution, in providing electric service or heat by an electric utility.

“*Electric service*” is furnishing to the public for compensation any electricity, heat, light, power, or energy.

“*Emission for emission trade*” is an exchange of one type of emission for another type of emission. For example, the exchange of SO₂ emission allowances for NO_x emission allowances.

“*Energy*” means electric energy measured in kilowatt hours.

~~“*Firm power*” is power and associated energy intended to be available at all times during the period covered by the commitment.~~

“*Gains and losses from allowance sales*” are calculated as the difference between the sale price of allowances sold during the month and the weighted average unit cost of inventoried allowances.

“*Mercury and Air Toxics Standards*” or “*MATS*” means the requirements established by EPA in 40 CFR Parts 60 and 63 regarding limits of power plant emissions of toxic air pollutants (February 16, 2012).

“*Meter*” means, unless otherwise qualified, a device that measures and registers the integral of an electrical quantity with respect to time.

~~“*Meter shop*” is a shop where meters are inspected, repaired and tested, and may be at a fixed location or may be mobile.~~

“*Operating reserve*” is a reserve generating capacity required to ensure reliability of generation resources.

~~“*Operational control energy*” is energy supplied by a selling utility to a buying utility for the improvement of electric system operation.~~

~~“*Outage energy*” is energy purchased during emergency or scheduled maintenance outages of generation or transmission facilities, or both.~~

~~“*Participation power*” means power and associated energy or energy which is purchased or sold from a specific unit or units on the basis that its availability is subject to prorate or other specified reduction if the units are not operated at full capacity.~~

“*Peaking power*” is power and associated energy intended to be available at all times during the commitment and which is anticipated to have low load factor use.

“*Power*” means electric power measured in kilowatts.

“*Price hedging*” means using futures contracts or options to guard against unfavorable price changes.

“*Rate-regulated utility*” means any utility, as defined in 20.1(3), which is subject to board rate regulation under Iowa Code chapter 476.

“*Secondary line*” means any single or multiphase electric power line operating at nominal voltage less than either 2,000 volts between ungrounded conductors or 1,155 volts between grounded and ungrounded conductors, regardless of the functional service provided by the line.

“*Service limitation*” means the establishment of a limit on the amount of power that may be consumed by a residential customer through the installation of a service limiter on the customer’s meter.

“*Service limiter*” or “*service limitation device*” means a device that limits a residential customer’s power consumption to 3,600 watts (or some higher level of usage approved by the board) and that resets

itself automatically, or can be reset manually by the customer, and may also be reset remotely by the utility at all times.

“*Speculation*” means using futures contracts or options to profit from expectations of future price changes.

“*Tariff*” means the entire body of rates, tolls, rentals, charges, classifications, rules, procedures, policies, etc., adopted and filed with the board by an electric utility in fulfilling its role of furnishing service.

“*Timely payment*” is a payment on a customer’s account made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and a utility for a series of partial payments to settle a delinquent account, as the date which determines application of a late payment charge to the current bill or future collection efforts.

“*Transmission line*” means any single or multiphase electric power line operating at nominal voltages at or in excess of either 69,000 volts between ungrounded conductors or 40,000 volts between grounded and ungrounded conductors, regardless of the functional service provided by the line.

“*Utility*” means any person, partnership, business association or corporation, domestic or foreign, owning or operating any facilities for providing electric service or heat to the public for compensation.

“*Vintage trade*” is an exchange of one vintage of allowances for another vintage of allowances with the difference in value between vintages being cash or additional allowances.

“*Weighted average unit cost of inventoried allowances*” equals the dollars in inventory at the end of the month divided by the total allowances available for use at the end of the month.

“*Wheeling service*” is the service provided by a utility in consenting to the use of its transmission facilities by another party for the purpose of scheduling delivery of power or energy, or both.

ITEM 3. Amend subrule 20.2(2) as follows:

20.2(2) *Tariffs to be filed with the board.* The schedules of rates and rules of rate-regulated electric utilities shall be filed with the board and shall be classified, designated, arranged and submitted so as to conform to the requirements of this chapter. Provisions of the schedules shall be definite and so stated as to minimize ambiguity or the possibility of misinterpretation. The form, identification and content of

tariffs shall be in accordance with these rules. A rate-regulated electric utility's current tariff will be made available through the board's electronic filing system.

Utilities which are not subject to the rate regulation provided for by Iowa Code chapter 476 shall not be required to file schedules of rates, rules, or contracts primarily concerned with a rate schedule with the board and shall not be subject to the provisions related to rate regulations, but nothing contained in these rules shall be deemed to relieve any utility of the requirement of furnishing any of these same schedules or contracts which are needed by the board in the performance of the board's duties upon request to do so by the board.

ITEM 4. Amend subrule 20.2(3) as follows:

20.2(3) Form and identification. All tariffs shall conform to the following rules:

a. The tariff shall be ~~printed, typewritten or otherwise~~ filed electronically using the board's electronic filing system. The filed tariff shall be capable of being reproduced on 8½- × 11- inch sheets of durable white paper so as to result in a clear and permanent record customers may readily view and reproduce copies of the tariff. The sheets of the tariff should be ruled or spaced to set off a border on the left side suitable for binding. In the case of utilities subject to regulation by any federal agency the format of sheets of a tariff as filed with the board may be the same format as is required by the a federal agency provided that the rules of the board as to title page; identity of superseding, replacing or revision sheets; identity of amending sheets; identity of the filing utility, issuing official, date of issue, effective date; and the words "Tariff with board" shall apply in the modification of the federal agency format for the purposes of filing with this board.

b. The title page of every tariff and supplement shall show:

(1) The first page shall be the title page which shall show:

(Name of Public Utility)

Electric Tariff

Filed with

Iowa Utilities Board

(Date)

~~(This requirement does not apply to tariffs or amendments filed with the board prior to July 1, 1981.)~~

(2) When a tariff is to be superseded or replaced in its entirety, the replacing tariff shall show on the upper right corner of its title page that it supersedes a tariff on file and the number being superseded or replaced, for example:

TARIFF NO.

SUPERSEDES TARIFF NO.

~~(This requirement does not apply to tariffs or amendments filed with the board prior to July 1, 1981.)~~

(3) When a new part of a tariff eliminates an existing part of a tariff it shall so state and clearly indicate the part eliminated.

(4) Any tariff modifications as defined above shall be marked in the right-hand margin of the replacing tariff sheet with symbols as here described to indicate the place, nature and extent of the change in text.

—Symbols—

(C)—Changed regulation

(D)—Discontinued rate or regulation

(I)—Increase in rate or new treatment resulting in increased rate

(N)—New rate, treatment or regulation

(R)—Reduction in rate or new treatment resulting in reduced rate

(T)—Change in text only

c. All sheets except the title page shall have, in addition to the above-stated requirements, the following information:

(1) Name of utility under which shall be set forth the words “Filed with board.” If the utility is not a corporation, and a trade name is used, the name of the individual or partners must precede the trade name.

(2) Issuing official and issue date.

(3) Effective date (to be left blank by rate-regulated utilities).

d. All sheets except the title page shall have the following form:

(Company Name)	(Part identification)
Electric Tariff	(This sheet identification)
Filed with board	(Canceled sheet identification, if any)
	(Content or tariff)
Issued: (Date)	Effective:
Issued by: (Name, title)	(Proposed Effective Date:)

The issued date is the date the tariff or the amended sheet content was adopted by the utility.

The effective date will be left blank by rate-regulated utilities and shall be determined by the board.

The utility may propose an effective date.

ITEM 5. Amend subrule 20.2(5) as follows:

20.2(5) *Annual, periodic and other reports to be filed with the board.*

a. System map verification. The utility shall file annually a verification that it has a currently correct set of utility system maps in accordance with ~~general requirement~~ the general requirements of subrule 20.3(11) and a statement as to the location of the utility's offices where such maps, except those deemed confidential by the board, are accessible and available for examination by the board or its agents. The verification and map location information shall also be reported to the board upon other occasions when significant changes occur in either the maps or location of the maps.

b. to e. No change.

f. ~~A copy of the~~ The utility's current rules, if any, published or furnished by the utility for the use of engineers, architects, electrical contractors, etc., covering meter and service installations shall be ~~filed with~~ maintained and made available to the board upon request.

g. to k. No change.

ITEM 6. Amend subparagraph **20.3(1)“a”(2)** as follows:

(2) For temporary service installations not otherwise metered.

ITEM 7. Amend paragraph **20.3(1)“b”** as follows:

b. The amount of all electricity delivered to multioccupancy premises within a single building, where units are separately rented or owned, shall be measured on the basis of individual meter measurement for each unit, except in the following instances:

- (1) Where electricity is used in centralized heating, cooling, water-heating, or ventilation systems;
- (2) Where a facility is designated for elderly or handicapped persons;
- (3) Where submetering or resale of service was permitted prior to 1966; or

(4) Where individual metering is impractical. “Impractical” means: ~~(1) where conditions or structural barriers exist in the multioccupancy building that would make individual meters unsafe or physically impossible to install; (2) where the cost of providing individual metering exceeds the long-term benefits of individual metering; or (3) where the benefits of individual metering (reduced and controlled energy consumption) are more effectively accomplished through a master meter arrangement.~~

1. Conditions or structural barriers exist in the multioccupancy building that would make individual meters unsafe or physically impossible to install; or

2. The cost of providing individual metering exceeds the long-term benefits of individual metering; or

(5) Where the benefits of individual metering (reduced and controlled energy consumption) are more effectively accomplished through a master meter arrangement.

1. A new multioccupancy building qualifies for master metering under this subparagraph if the predicted annual energy use would result in at least a 30 percent energy savings compared to the predicted annual energy use of a new building meeting the requirements of the State of Iowa Energy Code and operating with equipment, fixtures, and appliances meeting federal energy standards for manufactured devices for a new building.

2. An existing multioccupancy building qualifies for master metering under this subparagraph when the predicted annual energy use would result in at least a 20 percent energy savings compared to the building’s current annual energy usage levels.

3. Credits for on-site renewable energy generation shall not be taken into account when

determining the predicted energy savings.

4. A report from a qualified, independent third-party stating that the proposed building or renovation will meet the energy savings requirements of this subparagraph shall establish a rebuttable presumption of eligibility for master metering. A qualified, independent third-party means a licensed architect or engineer, a certified Residential Energy Services Network Home Energy Rating System (RESNET HERS) rater, or any other professional deemed qualified by the board.

If a multioccupancy building is master-metered, the end-user occupants may be charged for electricity as an unidentified portion of the rent, condominium fee, or similar payment, or, if some other method of allocating the cost of the electric service is used, the total charge for electric service shall not exceed the total electric bill charged by the utility for the same period.

ITEM 8. Rescind and reserve subrule **20.3(4)**.

ITEM 9. Amend subrule 20.3(5) as follows:

20.3(5) Meter register. If it is necessary to apply a multiplier to the meter readings, the multiplier must be marked on the face of the meter register or stenciled in ~~weather-resistant~~ weather-resistant paint upon the front cover of the meter. Customers shall have continuous visual access to meter registers as a means of verifying the accuracy of bills presented to them and for implementing such energy conservation initiatives as they desire, except in the individual locations where the utility has experienced vandalism to windows in the protective enclosures. Where remote meter reading is used, whether outdoor on premises or off premises automated, the customer shall also have readable meter registers at the meter. A utility may comply with the requirements of this subrule by making the required information available via the Internet or other equivalent means.

Where ~~magnetic tape or other~~ a delayed processing means is used, the utility may comply by having readable kWh registers only, visually accessible.

In instances in which the utility has determined that readable access, to locations existing July 1, 1981, will create a safety hazard, the utility is exempted from the access provisions above.

In instances when a building owner has determined that unrestricted access to tenant metering

installation would create a vandalism or safety hazard, the utility is exempted from the access provision above.

Continuing efforts should be made to eliminate or minimize the number of restricted locations. The utility should assist affected customers in obtaining meter register information.

ITEM 10. Amend subrule 20.3(6) as follows:

20.3(6) Meter reading and billing interval. Readings of all meters used for determining charges and billings to customers shall be scheduled at least monthly and for the beginning and termination of service. Bills to larger customers may, for good cause, be ~~rendered~~ provided weekly or daily for a period not to exceed one month. Intervals other than monthly shall not be applied to smaller customers, or to larger customers after the initial month provided above, without a waiver from the board. A waiver request must include sufficient information to comply with ~~199—1.3(17A,474,476,78GA,HF2206)~~ 199—1.3(17A,474,476). If the board denies a waiver, or if a waiver is not sought with respect to a ~~high demand~~ high-demand customer after the initial month, that customer's meter shall be read monthly for the next 12 months. The group of larger customers to which shorter billing intervals may be applied shall be specified in the utility's tariff sheets, but shall not include residential customers.

An effort shall be made to obtain readings of the meters on corresponding days of each ~~meter-reading~~ meter reading period. When the meter reading date causes a given billing period to deviate by more than 10 percent (counting only business days) from the normal meter reading period, such bills shall be prorated on a daily basis.

The utility may permit the customer to supply the meter readings by telephone, by electronic means, or on a form supplied by the utility. The utility may arrange for customer meter reading forms to be delivered to the utility by United States mail, electronically, or by hand delivery. The utility may arrange for the meter to be read by electronic means. Unless the utility has a plan to test check meter readings, a utility representative shall physically read the meter at least once each 12 months.

In the event that the utility leaves a meter reading form with the customer when access to meters cannot be gained and the form is not returned in time for the billing operation, an estimated bill may be ~~rendered~~ provided.

If an actual meter reading cannot be obtained, the utility may ~~render~~ provide an estimated bill without reading the meter or supplying a meter reading form to the customer. Only in unusual cases or when approval is obtained from the customer shall more than three consecutive estimated bills be ~~rendered~~ provided.

ITEM 11. Amend subrule 20.3(8) as follows:

20.3(8) Service areas. Service areas are defined by the boundaries on service area maps ~~;~~ Paper maps are available for viewing during regular business hours at the board's offices ~~;~~ and available for purchase at the cost of reproduction. Maps are also available for viewing on the board's website. These service area maps are adopted as part of this rule and are incorporated in this rule by this reference.

ITEM 12. Amend paragraph **20.3(11)“b”** as follows:

b. All maps, except those deemed confidential by the board, shall be available for examination at the utility's designated offices during the utility's regular office hours. The maps shall be drawn with clean, uniform lines to a scale of one inch per mile. A large scale shall be used where it is necessary to clarify areas where there is a heavy concentration of facilities. All cartographic details shall be clean cut, and the background shall contain little or no coloration or shading.

ITEM 13. Amend paragraph **20.3(13)“a,”** definition of “Contribution in aid of construction,” as follows:

“*Contribution in aid of construction,*” as used in this subrule, means a nonrefundable cash payment grossed-up for the income tax effect of such revenue covering the costs of ~~an electrical line extension~~ ~~or~~ a service line that are in excess of costs paid by the utility. The amount of tax shall be reduced by the present value of the tax benefits to be obtained by depreciating the property in determining the tax liability.

ITEM 14. Amend subparagraph **20.3(13)“c”(5)** as follows:

(5) Refunds. When the customer is required to make an advance for construction, the utility shall refund to the depositor for a period of ten years from the date of the original advance a pro-rata share

for each service line attached to the electrical line extension. The pro-rata refund shall be computed in the following manner:

1. If the combined total of three times estimated base revenue, or the amount allowed by the feasibility model, for the electrical line extension and each service line attached to the electrical line extension exceeds the total estimated ~~construction~~ construction cost to provide the electrical line extension, the entire amount of the advance for construction provided shall be refunded.

2. and 3. No change.

ITEM 15. Amend paragraph **20.3(13)“e”** as follows:

e. Extensions not required. Utilities shall not be required to make electrical line extensions or install service lines as described in this subrule, unless the electrical line extension or service line shall be of a permanent nature. When the utility provides a temporary service to a customer, the utility may require that the customer bear all the cost of installing and removing the service in excess of any salvage realized.

ITEM 16. Amend subrule 20.4(1) as follows:

20.4(1) Customer information. Each utility shall:

a. and b. No change.

c. Notify customers affected by a change in rates or schedule classification in the manner provided in the rules of practice and procedure before the board. ~~{199—7.4(476) IAC}~~(199—26.5(476))

d. Post a notice in a conspicuous place in each office of the utility where applications for service are received, informing the public that copies of the rate schedules and rules relating to the service of the utility, as filed with the board, are available for public inspection. If the utility has provided access to its rate schedules and rules for service on its ~~Web site~~ website, the notice ~~should~~ shall include the ~~Web site~~ website address.

e. No change.

f. State, on the bill form, that tariff and rate schedule information is available upon request at the utility’s local business office. If the utility provides access to its tariff and rate schedules on its website,

the bill form should include the website address.

g. and h. No change.

ITEM 17. Amend subrule 20.4(2) as follows:

20.4(2) *Customer contact employee qualifications.* Each utility shall promptly and courteously resolve inquiries for information or complaints. Employees who receive customer telephone calls and office visits shall be qualified and trained in screening and resolving complaints, to avoid a preliminary recitation of the entire complaint to employees without ability and authority to act. The employee shall provide identification to the customer that will enable the customer to reach that employee again if needed.

Each utility shall notify its customers, by bill insert or notice on the bill form, of the address and telephone number where a utility representative qualified to assist in resolving the complaint can be reached. The bill insert or notice shall also include the following statement: “If (utility name) does not resolve your complaint, you may request assistance from the Iowa Utilities Board by calling (515)725-7321, or toll-free 1-877-565-4450, or by writing to 1375 E. Court Avenue, ~~Room 69~~, Des Moines, Iowa 50319-0069, or by ~~E-mail~~ email to customer@iub.iowa.gov.”

The bill insert or notice for municipal utilities shall include the following statement: “If your complaint is related to service disconnection, safety, or renewable energy, and (utility name) does not resolve your complaint, you may request assistance from the Iowa Utilities Board by calling (515)725-7321, or toll-free 1-877-565-4450, by writing to 1375 E. Court Avenue, ~~Room 69~~, Des Moines, Iowa 50319-0069, or by ~~E-mail~~ email to customer@iub.iowa.gov.”

The bill insert or notice for non-rate-regulated rural electric cooperatives shall include the following statement: “If your complaint is related to the (utility name) service rather than its rates, and (utility name) does not resolve your complaint, you may request assistance from the Iowa Utilities Board by calling (515)725-7321, or toll-free 1-877-565-4450, by writing to 1375 E. Court Avenue, ~~Room 69~~, Des Moines, Iowa 50319-0069, or by ~~E-mail~~ email to customer@iub.iowa.gov.”

The bill insert or notice on the bill shall be provided monthly by utilities serving more than 50,000 Iowa retail customers and no less than annually by all other electric utilities. Any utility which does not

use the standard statement described in this subrule shall file its proposed statement in its tariff for approval. A utility that bills by postcard may place an advertisement in a local newspaper of general circulation or a customer newsletter instead of a mailing. The advertisement must be of a type size that is easily legible and conspicuous and must contain the information set forth above.

ITEM 18. Amend subrule 20.4(9) as follows:

20.4(9) Customer bill forms. Each customer shall be informed as promptly as possible following the reading of the customer's meter, on bill form or otherwise, of the following:

a. The reading of the meter at the beginning and at the end of the period for which the bill is rendered provided.

b. and *c.* No change.

d. The applicable rate schedule, ~~or with the~~ identification of the applicable rate schedule classification.

e. No change.

f. The last date for timely payment shall be clearly shown and shall be not less than 20 days after the bill is rendered provided.

g. to *j.* No change.

ITEM 19. Amend subrule 20.4(11) as follows:

20.4(11) Payment agreements.

a. and *b.* No change.

c. *Terms of payment agreements.*

(1) *First payment agreement.* ~~The utility shall offer customers who have received a disconnection notice or have been disconnected 120 days or less and who are not in default of a payment agreement the option of spreading payments evenly over at least 12 months by paying specific amounts at scheduled times. The utility shall offer customers who have been disconnected more than 120 days and who are not in default of a payment agreement the option of spreading payments evenly over at least 6 months by paying specific amounts at scheduled times.~~ The utility shall offer the following conditions

to customers who have received a disconnection notice or who have been previously disconnected and are not in default of a payment agreement:

~~1. The agreement shall also include provision for payment of the current account. The agreement negotiations and periodic payment terms shall comply with tariff provisions which are consistent with these rules. The utility may also require the customer to enter into a level payment plan to pay the current bill.~~

~~2. When the customer makes the agreement in person, a signed copy of the agreement shall be provided to the customer.~~

~~3. The utility may offer the customer the option of making the agreement over the telephone or through electronic transmission. When the customer makes the agreement over the telephone or through electronic transmission, the utility shall render to the customer a written document reflecting the terms and conditions of the agreement within three days of the date the parties entered into the oral agreement or electronic agreement. The document will be considered rendered to the customer when addressed to the customer's last known address and deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the document shall be considered rendered to the customer when delivered to the last known address of the person responsible for payment for the service. The document shall state that unless the customer notifies the utility within ten days from the date the document is rendered, it will be deemed that the customer accepts the terms as reflected in the written document. The document stating the terms and agreements shall include the address and a toll free or collect telephone number where a qualified representative can be reached. By making the first payment, the customer confirms acceptance of the terms of the oral agreement or electronic agreement.~~

~~4. Each customer entering into a first payment agreement shall be granted at least one late payment that is made four days or less beyond the due date for payment and the first payment agreement shall remain in effect.~~

1. For customers who received a disconnection notice or who have been disconnected less than 120 days and are not in default of a payment agreement, the utility shall offer an agreement with at least 12 even monthly payments. For customers who have been disconnected more than 120 days and are not

in default of a payment agreement, the utility shall offer an agreement with at least 6 even monthly payments. The utility shall inform customers they may pay off the delinquency early without incurring any prepayment penalties.

2. The agreement shall also include a provision for payment of the current account.

3. The utility may also require the customer to enter into a budget billing plan to pay the current bill.

4. When the customer makes the agreement in person, a signed copy of the agreement shall be provided to the customer.

5. The utility may offer the customer the option of making the agreement over the telephone or through electronic transmission.

6. When the customer makes the agreement over the telephone or through electronic transmission, the utility shall provide to the customer a written document reflecting the terms and conditions of the agreement within three days of the date the parties entered into the oral agreement or electronic agreement.

7. The document will be considered provided to the customer when addressed to the customer's last-known address and deposited in the U.S. mail with postage paid. If delivery is by other than U.S. mail, the document shall be considered provided to the customer when delivered to the last-known address of the person responsible for payment for the service.

8. The document shall state that unless the customer notifies the utility otherwise within ten days from the date the document is provided, it will be deemed that the customer accepts the terms as stated in the written document. The document stating the terms and conditions of the agreement shall include the address and a toll-free or collect telephone number where a qualified representative can be reached.

9. Once the first payment required by the agreement is made by the customer or on behalf of the customer, the oral or electronic agreement is deemed accepted by the customer.

10. Each customer entering into a first payment agreement shall be granted at least one late payment that is four days or less beyond the due date for payment, and the first payment agreement shall remain in effect.

11. The initial payment is due on the due date for the next regular bill.

(2) *Second payment agreement.* The utility shall offer a second payment agreement to a customer who is in default of a first payment agreement if the customer has made at least two consecutive full payments under the first payment agreement.

1. The second payment agreement shall be for ~~the same term as or longer than~~ a term at least as long as the term of the first payment agreement.

2. The customer shall be required to pay for current service in addition to the monthly payments under the second payment agreement and may be required to make the first payment up-front as a condition of entering into the second payment agreement.

3. The utility may also require the customer to enter into a ~~level payment~~ budget billing plan to pay the current bill.

(3) Additional payment agreements. The utility may offer additional payment agreements to the customer.

d. Refusal by utility. A customer may offer the utility a proposed payment agreement. If the utility and the customer do not reach an agreement, the utility may refuse the offer orally, but the utility must ~~render~~ provide a written refusal to the customer, stating the reason for the refusal, within three days of the oral notification. The written refusal shall be considered ~~rendered~~ provided to the customer when addressed to the customer's last-known address and deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the written refusal shall be considered ~~rendered~~ provided to the customer when handed to the customer or when delivered to the last-known address of the person responsible for the payment for the service.

A customer may ask the board for assistance in working out a reasonable payment agreement. The request for assistance must be made to the board within ten days after ~~the rendering of~~ the written refusal is provided. During the review of this request, the utility shall not disconnect the service.

ITEM 20. Amend subrule 20.4(12) as follows:

20.4(12) Bill payment terms. The bill shall be considered ~~rendered~~ provided to the customer when deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the bill shall be

considered ~~rendered~~ provided when delivered to the last-known address of the party responsible for payment. There shall not be less than 20 days between the ~~rendering~~ providing of a bill and the date by which the account becomes delinquent. Bills for customers on more frequent billing intervals under subrule 20.3(6) may not be considered delinquent less than 5 days from the date of ~~rendering~~ the bill is provided. However, a late payment charge may not be assessed if payment is received within 20 days of the date the bill is ~~rendered~~ provided.

a. The date of delinquency for all residential customers or other customers whose consumption is less than 3,000 kWh per month, shall be changeable for cause ~~in writing~~; such as, but not limited to, 15 days from approximate date each month upon which income is received by the person responsible for payment. In no case, however, shall the utility be required to delay the date of delinquency more than 30 days beyond the date of preparation of the previous bill.

b. to d. No change.

e. ~~Level-payment~~ Budget billing plan. Utilities shall offer a ~~level-payment~~ budget billing plan to all residential customers or other customers whose consumption is less than 3,000 kWh per month. A ~~level-payment~~ budget billing plan should be designed to limit the volatility of a customer's bill and maintain reasonable account balances. The ~~level-payment~~ budget billing plan shall include at least the following:

(1) Be offered to each eligible customer when the customer initially requests service. The plan may be estimated if there is insufficient usage history to create a budget billing plan based on actual use.

(2) Allow for entry into the ~~level-payment~~ budget billing plan anytime during the calendar year.

(3) Provide that a customer may request termination of the plan at any time. If the customer's account is in arrears at the time of termination, the balance shall be due and payable at the time of termination. If there is a credit balance, the customer shall be allowed the option of obtaining a refund or applying the credit to future charges. A utility is not required to offer a new ~~level-payment~~ budget billing plan to a customer for six months after the customer has terminated from a ~~level-payment~~ budget billing plan.

(4) Use a computation method that produces a reasonable monthly ~~level-payment~~ budget billing

amount, which may take into account forward-looking factors such as fuel price and weather forecasts, and that complies with requirements in ~~20.4(12)“e”~~(4) of this subrule. The computation method used by the utility shall be described in the utility’s tariff and shall be subject to board approval. The utility shall give notice to customers when it changes the type of computation method in the ~~level-payment~~ budget billing plan.

The amount to be paid at each billing interval by a customer on a ~~level-payment~~ budget billing plan shall be computed at the time of entry into the plan and shall be recomputed at least annually. The ~~level-payment~~ budget billing amount may be recomputed monthly, quarterly, when requested by the customer, or whenever price, consumption, or a combination of factors results in a new estimate differing by 10 percent or more from that in use.

When the ~~level-payment~~ budget billing amount is recomputed, the ~~level-payment~~ budget billing plan account balance shall be divided by 12, and the resulting amount shall be added to the estimated monthly ~~level-payment~~ budget billing amount. Except when a utility has a ~~level-payment~~ budget billing plan that recomputes the ~~level-payment~~ budget billing amount monthly, the customer shall be given the option of applying any credit to payments of subsequent months’ ~~level-payment~~ budget billing amounts due or of obtaining a refund of any credit in excess of \$25.

Except when a utility has a ~~level-payment~~ budget billing plan that recomputes the ~~level-payment~~ budget billing amount monthly, the customer shall be notified of the recomputed payment amount not less than one full billing period prior to the date of delinquency for the recomputed payment. The notice may accompany the bill prior to the bill that is affected by the recomputed payment amount.

(5) Irrespective of the account balance, a delinquency in payment shall be subject to the same collection and disconnection procedures as other accounts, with the late payment charge applied to the ~~level-payment~~ budget billing amount. If the account balance is a credit, the ~~level-payment~~ budget billing plan may be terminated by the utility after 30 days of delinquency.

ITEM 21. Amend subrule 20.4(13) as follows:

20.4(13) *Customer records.* The utility shall retain records as may be necessary to effectuate compliance with 20.4(14) and 20.6(6), but not less than ~~three~~ five years. Records for customer shall

show where applicable:

- a. kWh meter reading.
- b. kWh consumption.
- c. kW meter reading.
- d. kW measured demand.
- e. kW billing demand.
- f. Total amount of bill.

ITEM 22. Amend paragraph **20.4(14)“d”** as follows:

d. Back billing. A utility may not back bill due to underregistration unless a minimum back bill amount is specified in its tariff. The minimum amount specified for back billing shall not be less than, but may be greater than, \$5 for an existing customer or \$10 for a former customer. All recalculations resulting in an amount due equal to or greater than the tariff specified minimum shall result in issuance of a back bill.

Back billings shall be ~~rendered~~ provided no later than six months following the date of the metering installation test.

ITEM 23. Amend paragraph **20.4(15)“a”** as follows:

a. The utility shall give written notice of pending disconnection except as specified in paragraph 20.4(15)“*b.*” The notice shall set forth the reason for the notice and the final date by which the account is to be settled or specific action taken. The notice shall be considered ~~rendered~~ provided to the customer when addressed to the customer’s last-known address and deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the notice shall be considered ~~rendered~~ provided when delivered to the last-known address of the person responsible for payment for the service. The date for disconnection of service shall be not less than 12 days after the notice is ~~rendered~~ provided. The date for disconnection of service for customers on shorter billing intervals under subrule 20.3(6) shall not be less than 24 hours after the notice is posted at the service premises.

One written notice, including all reasons for the notice, shall be given where more than one cause

exists for disconnection of service. In determining the final date by which the account is to be settled or other specific action taken, the days of notice for the causes shall be concurrent.

ITEM 24. Amend subparagraph **20.4(15)“d”(3)** as follows:

(3) The summary of the rights and responsibilities must be approved by the board. Any utility providing electric service and defined as a public utility in Iowa Code section 476.1 which does not use the standard form set forth below for customers billed monthly shall submit to the board ~~an original and six copies of~~ electronically its proposed form for approval. A utility billing a combination customer for both gas and electric service may modify the standard form to replace each use of the word “electric” with the words “gas and electric” in all instances.

**CUSTOMER RIGHTS AND RESPONSIBILITIES TO AVOID SHUTOFF OF ELECTRIC
SERVICE FOR NONPAYMENT**

1. What can I do if I receive a notice from the utility that says my service will be shut off because I have a past due bill?

- a. Pay the bill in full; or
- b. Enter into a reasonable payment plan with the utility (see #2 below); or
- c. Apply for and become eligible for low-income energy assistance (see #3 below); or
- d. Give the utility a written statement from a doctor or public health official stating that shutting off your electric service would pose an especial health danger for a person living at the residence (see #4 below); or
- e. Tell the utility if you think part of the amount shown on the bill is wrong. However, you must still pay the part of the bill you agree you owe the utility (see #5 below).

2. How do I go about making a reasonable payment plan? (Residential customers only)

- a. Contact the utility as soon as you know you cannot pay the amount you owe. If you cannot pay all the money you owe at one time, the utility may offer you a payment plan that spreads payments evenly over at least 12 months. The plan may be longer depending on your financial situation.
- b. If you have not made the payments you promised in a previous payment plan with the utility and still owe money, you may qualify for a second payment agreement under certain conditions.

c. If you do not make the payments you promise, the utility may shut off your utility service on one day's notice unless all the money you owe the utility is paid or you enter into another payment agreement.

3. How do I apply for low-income energy assistance? (Residential customers only)

a. Contact the local community action agency in your area (see attached list) ÷ or visit humanrights.iowa.gov/dcaa/where-apply.

~~b. Contact the Division of Community Action Agencies at the Iowa Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319; telephone (515)281-0859. To prevent disconnection, you must contact the utility prior to disconnection of your service.~~

~~e. b.~~ To avoid disconnection, you must apply for energy assistance or weatherization before your service is shut off. Notify your utility that you may be eligible and have applied for energy assistance. Once your service has been disconnected, it will not be reconnected based on approval for energy assistance.

~~d. c.~~ Being certified eligible for energy assistance will prevent your service from being disconnected from November 1 through April 1.

d. If you have additional questions, contact the Division of Community Action Agencies at the Iowa Department of Human Rights, Lucas State Office Building, Des Moines, Iowa 50319; telephone (515)281-3861.

4. What if someone living at the residence has a serious health condition? (Residential customers only)

Contact the utility if you believe this is the case. Contact your doctor or a public health official and ask the doctor or health official to contact the utility and state that shutting off your utility service would pose an especial health danger for a person living at your residence. The doctor or public health official must provide a written statement to the utility office within 5 days of when your doctor or public health official notifies the utility of the health condition; otherwise, your utility service may be shut off. If the utility receives this written statement, your service will not be shut off for 30 days. This 30-day delay is to allow you time to arrange payment of your utility bill or find other living arrangements. After 30

days, your service may be shut off if payment arrangements have not been made.

5. What should I do if I believe my bill is not correct?

You may dispute your utility bill. You must tell the utility that you dispute the bill. You must pay the part of the bill you think is correct. If you do this, the utility will not shut off your service for 45 days from the date the bill was mailed while you and the utility work out the dispute over the part of the bill you think is incorrect. You may ask the Iowa Utilities Board for assistance in resolving the dispute. (See #9 below.)

6. When can the utility shut off my utility service because I have not paid my bill?

a. Your utility can shut off service between the hours of 6 a.m. and 2 p.m., Monday through Friday.

b. The utility will not shut off your service on nights, weekends, or holidays for nonpayment of a bill.

c. The utility will not shut off your service if you enter into a reasonable payment plan to pay the overdue amount (see #2 above).

d. The utility will not shut off your service if the temperature is forecasted to be 20 degrees Fahrenheit or colder during the following 24-hour period, including the day your service is scheduled to be shut off.

e. If you have qualified for low-income energy assistance, the utility cannot shut off your service from November 1 through April 1. However, you will still owe the utility for the service used during this time.

f. The utility will not shut off your service if you have notified the utility that you dispute a portion of your bill and you pay the part of the bill that you agree is correct.

g. If one of the heads of household is a service member deployed for military service, utility service cannot be shut off during the deployment or within 90 days after the end of deployment. In order for this exception to disconnection to apply, the utility must be informed of the deployment prior to disconnection. However, you will still owe the utility for service used during this time.

7. How will I be told the utility is going to shut off my service?

a. You must be given a written notice at least 12 days before the utility service can be shut off for nonpayment. This notice will include the reason for shutting off your service.

b. If you have not made payments required by an agreed-upon payment plan, your service may be disconnected with only one day's notice.

c. The utility must also try to reach you by telephone or in person before it shuts off your service. From November 1 through April 1, if the utility cannot reach you by telephone or in person, the utility will put a written notice on the door of or another conspicuous place at your residence to tell you that your utility service will be shut off.

8. If service is shut off, when will it be turned back on?

a. The utility will turn your service back on if you pay the whole amount you owe or agree to a reasonable payment plan (see #2 above).

b. If you make your payment during regular business hours, or by 7 p.m. for utilities permitting such payment or other arrangements after regular business hours, the utility must make a reasonable effort to turn your service back on that day. If service cannot reasonably be turned on that same day, the utility must do it by 11 a.m. the next day.

c. The utility may charge you a fee to turn your service back on. Those fees may be higher in the evening or on weekends, so you may ask that your service be turned on during normal utility business hours.

9. Is there any other help available besides my utility?

If the utility has not been able to help you with your problem, you may contact the Iowa Utilities Board toll-free at 1-877-565-4450. You may also write the Iowa Utilities Board at 1375 E. Court Avenue, ~~Room 69~~, Des Moines, Iowa 50319-0069, or by E-mail at customer@iub.iowa.gov. Low-income customers may also be eligible for free legal assistance from Iowa Legal Aid, and may contact Legal Aid at 1-800-532-1275.

ITEM 25. Amend subparagraph **20.4(15)“d”(5)** as follows:

(5) When disconnecting service to a residence, made a diligent attempt to contact, by telephone or in person, the customer responsible for payment for service to the residence to inform the customer of

the pending disconnection and the customer's rights and responsibilities. During the period from November 1 through April 1, if the attempt at customer contact fails, the premises shall be posted at least one day prior to disconnection with a notice informing the customer of the pending disconnection and rights and responsibilities available to avoid disconnection.

If an attempt at personal or telephone contact of a customer occupying a rental unit has been unsuccessful, the utility shall make a diligent attempt to contact the landlord of the rental unit, if known, ~~shall be contacted~~ to determine if the customer is still in occupancy and, if so, the customer's present location. The landlord shall also be informed of the date when service may be disconnected. The utility shall make a diligent attempt to inform the landlord at least 48 hours prior to disconnection of service to a tenant.

If the disconnection will affect occupants of residential units leased from the customer, the premises of any building known by the utility to contain residential units affected by disconnection must be posted, at least two days prior to disconnection, with a notice informing any occupants of the date when service will be disconnected and the reasons for the disconnection.

ITEM 26. Amend subparagraph **20.4(15)“d”(6)** as follows:

(6) Disputed bill. If the customer has received notice of disconnection and has a dispute concerning a bill for electric utility service, the utility may require the customer to pay a sum of money equal to the amount of the undisputed portion of the bill pending settlement and thereby avoid disconnection of service. A utility shall delay disconnection for nonpayment of the disputed bill for up to 45 days after the ~~rendering~~ providing of the bill if the customer pays the undisputed amount. The 45 days shall be extended by up to 60 days if requested of the utility by the board in the event the customer files a written complaint with the board in compliance with 199—Chapter 6.

ITEM 27. Amend subparagraph **20.4(15)“d”(8)** as follows:

(8) Severe cold weather. A disconnection may not take place where electricity is used as the only source of space heating or to control or operate the only space heating equipment at ~~the a residence on~~ any day when the actual temperature or the 24-hour forecast of the National Weather Service ~~forecast~~

~~for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will~~ residence's area is predicted to be 20 degrees Fahrenheit or colder. ~~In any case where~~ If the utility has properly posted a disconnect notice ~~in compliance with subparagraph 20.4(15) "d"(5)~~ but is precluded from disconnecting service because of a ~~National Weather Service forecast~~ severe cold weather, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the residence's area ~~where the residence is located~~ rises above 20 degrees Fahrenheit and is forecasted to ~~be~~ remain above 20 degrees Fahrenheit for at least 24 hours, unless the customer has paid in full the past due amount or is otherwise entitled to postponement of disconnection ~~under some other provision of paragraph 20.4(15) "d."~~.

ITEM 28. Amend subparagraph **20.4(15) "d"(10)** as follows:

(10) Winter energy assistance (November 1 through April 1). If the utility is informed that the customer's household may qualify for winter energy assistance or weatherization funds, there shall be no disconnection of service for 30 days from the date the utility is notified to allow the customer time to obtain assistance. Disconnection shall not take place from November 1 through April 1 for a resident who is a head of household and who has been certified to the public utility by the community action agency as eligible for either the low-income home energy assistance program or weatherization assistance program. A utility may develop an incentive program to delay disconnection on April 1 for customers who make payments throughout the November 1 through April 1 period. All such incentive programs shall be set forth in tariffs approved by the board.

ITEM 29. Amend subrule 20.4(16) as follows:

20.4(16) *Insufficient reasons for denying service.* The following shall not constitute sufficient cause for refusal of service to a customer:

- a. to d. No change.
- e. Failure to pay the back bill ~~rendered~~ provided in accordance with paragraph 20.4(14) "d" (slow meters).
- f. Failure to pay a bill ~~rendered~~ provided in accordance with paragraph 20.4(14) "f."

g. Failure of a residential customer to pay a deposit during the period November 1 through April 1 for the location at which the customer has been receiving service in the customer's name.

h. No change.

i. Delinquency in payment for service arising more than ten years prior, as measured from the most recent of:

(1) The last date of service for the account giving rise to the delinquency,

(2) Physical disconnection of service for the account giving rise to the delinquency, or

(3) The last voluntary payment or voluntary written promise of payment made by the customer, if made before the ten-year period described in this paragraph has otherwise lapsed.

j. Delinquency in payment for service that arose on or before September 4, 2010, pursuant to an oral contract, except in cases of fraud or deception that prevented the utility from timely addressing such delinquencies with the customer.

ITEM 30. Rescind and reserve subrule **20.4(21)**.

ITEM 31. Amend subrule 20.4(22), introductory paragraph, as follows:

20.4(22) Change in type of service. If a change in the type of service, ~~such as from 25 to 60 cycle or from direct or alternating current,~~ or a change in voltage to a customer's substation, is effected at the insistence of the utility and not solely by reason of increase in the customer's load or change in the character thereof, the utility shall share equitably in the cost of changing the equipment of the customer affected as determined by the board in the absence of agreement between utility and customer. In general, the customer should be protected against or reimbursed for the following losses and expenses to an appropriate degree:

ITEM 32. Rescind and reserve subrule **20.5(5)**.

ITEM 33. Amend paragraph **20.6(3)“a”** as follows:

a. American National Standard Code for Electricity Metering, ANSI C12.1- ~~2008~~ 2014.

ITEM 34. Adopt the following **new** subrule 20.6(8):

20.6(8) Comprehensive meter upgrade programs.

a. A utility may forego the meter testing procedures required under the utility's own inspection and testing program and subrule 20.6(2) if:

(1) The meters are removed or scheduled to be removed as part of a comprehensive meter upgrade program over a specified period not to exceed three years;

(2) The meters being removed have not previously been shown to be inaccurate or otherwise faulty;

(3) The utility either retains the removed meters for a period of one year from the removal date to allow customers the opportunity to challenge a meter's accuracy or tests a representative sample of 10 percent of each type of meter being removed as part of the program and maintains the removed meters for a period of at least six months; and

(4) The utility tests any meter upon request of a customer based upon the customer's experience comparing the replaced and replacement meters.

b. Prior to foregoing its testing procedures under this subrule, a utility shall notify the board that the utility is engaging in a comprehensive meter upgrade program. The notice shall state the option the utility is electing to pursue under subparagraph 20.6(8) "a"(3), the specified period of the program, and the expected number of meters to be upgraded.

c. A utility shall continue to follow the meter testing procedures for meters removed for any reason unrelated to the comprehensive meter upgrade program.

d. A utility shall resume the meter testing procedures required under the utility's own inspection and testing program and subrule 20.6(2) upon completion of the comprehensive meter upgrade program or the end of the specified period, whichever occurs first.

ITEM 35. Amend subrule 20.7(7) as follows:

20.7(7) Each utility shall make a sufficient number of voltage measurements ~~using recording voltmeters~~, in order to determine if voltages are in compliance with the requirements as stated in 20.7(2), 20.7(3), and 20.7(4). All ~~voltmeter~~ records obtained under ~~20.7(7)~~ this subrule shall be retained by the utility for at least two years and shall be available for inspection by the board's representatives.

Notations on each chart shall indicate the following:

- a. The location where the voltage was taken.
- b. The time and date of the test.
- c. The results of the comparison with a working standard indicating voltmeter.

ITEM 36. Amend subparagraph **20.9(2)“b”(5)**, as follows:

(5) The energy costs paid for energy purchased under arrangements or contracts for ~~firm power, operational control energy, outage energy, participation power, peaking power, and economy energy,~~ capacity and energy, as entered into account 555 of the Uniform System of Accounts, less the energy revenues to be recovered from corresponding sales, as entered in account 447 of the Uniform System of Accounts.

ITEM 37. Amend subrule 20.9(3) as follows:

20.9(3) *Optional energy clause for a rate-regulated utility which does not own generation.* A rate-regulated utility which does not own generation may adopt the energy adjustment clause of this subrule in lieu of that set forth in subrule 20.9(2). Prior to each billing cycle ~~it~~, the rate-regulated utility shall determine and file for board approval the adjustment amount to be charged for each energy unit consumed under rates set by the board. The filing shall include all journal entries, invoices (except invoices for fuel, freight, and transportation), worksheets, and detailed supporting data used to determine the amount of the adjustment. ~~The estimated amount of fossil fuel should be detailed to reflect the amount of fuel, transportation, and other costs.~~

~~The journal entries should reflect the following breakdown for each type of fuel: actual cost of fuel, transportation, and other costs. Items~~ The items identified as other costs should be described and their inclusion as ~~fuel~~ energy costs should be justified. The utility shall also file detailed supporting data:

1. To show the actual amount of sales of energy by month for which an adjustment was utilized, and
2. To support the energy cost adjustment balance utilized in the monthly energy adjustment clause filings.
 - a. to e. No change.

ITEM 38. Amend subrule 20.9(4) as follows:

20.9(4) ~~Annual review~~ Review of energy clause. ~~On or before each May 1~~ At least biennially, but no more than annually, the board will ~~notify~~ require each utility ~~as to the~~ that owns generation and utilizes an energy adjustment clause to provide fuel, freight, and transportation invoices from two months of the previous calendar year ~~for which fuel, freight, and transportation invoices will be required.~~ The board will notify each utility by May 1 as to which two months' invoices will be required. Two copies of these invoices shall be filed with the board no later than the subsequent November 1.

ITEM 39. Amend rule **199—20.9(476)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code section ~~476.6(11)~~ 476.6(12).

ITEM 40. Rescind rule 199—20.11(476) and adopt the following **new** rule in lieu thereof:

199—20.11(476) Customer notification of peaks in electric energy demand.

20.11(1) Pursuant to Iowa Code section 476.17, each investor-owned utility shall have a plan to notify its customers of an approaching peak demand on the day when peak demand is likely to occur. The plan shall be made available to the board upon request.

20.11(2) The plan shall include, at a minimum, the following:

- a. A description and explanation of the condition(s) that will prompt a peak alert.
- b. A provision for a general notice to be given to customers prior to the time when peak demand is likely to occur and an explanation of when and how notice of an approaching peak in electric demand will be given to customers.
- c. The text of the message or messages to be given in the general notice to customers. The message shall include the name of the utility providing the notice, an explanation that conditions exist which indicate a peak in electric demand is approaching, and an explanation of the significance of reductions in electricity use during a period of peak demand and the potential benefits of energy efficiency.

ITEM 41. Amend subrule 20.13(1), introductory paragraph, as follows:

20.13(1) *Procurement plan.* ~~The~~ Pursuant to Iowa Code section 476.6(12), the board shall periodically conduct a contested case proceeding for the purpose of evaluating the reasonableness and

~~prudence of a rate-regulated public utility's electric fuel procurement and contracting practices. By January 31 each year the board will notify a rate-regulated utility if the utility will be required to file an electric fuel procurement plan. In the years in which it does not conduct a contested case proceeding, the board may require a utility to file certain information for the board's review. In years in which a full proceeding is conducted, a rate-regulated utility providing electric service in Iowa shall prepare and file with the board on or before May 15 of each required filing year a complete electric fuel procurement plan for an annual period commencing June 1 or, in the alternative, for the annual period used by the utility in preparing its own fuel procurement plan. practices related to procurement of and contracting for fuel used in generating electricity. When it determines to conduct a contested case proceeding, the board shall notify a rate-regulated utility that it will be required to file an electric fuel procurement plan. The notification to the utility shall include a detailed list of what the board will be examining as part of the review. The utility shall file its plan no later than 105 days after notification unless otherwise directed by the board. A utility's procurement plan shall be organized to include information as follows:~~

ITEM 42. Rescind and reserve subrule **20.13(2)**.

ITEM 43. Amend paragraph **20.14(3)“c”** as follows:

c. The floor for the discount rate shall be equal to the energy costs and customer costs of serving the specific customer.

ITEM 44. Amend subrule 20.15(1) as follows:

20.15(1) *Applicability and purpose.* This rule applies to each electric public utility, as defined in Iowa Code sections 476.1, 476.1A, and 476.1B. ~~Each~~ Pursuant to Iowa Code section 476.66, each utility shall maintain a program plan to assist the utility's low-income customers with weatherization and to supplement assistance received under the federal low-income home energy assistance program for the payment of winter heating bills.

ITEM 45. Rescind and reserve subrule **20.15(2)**.

ITEM 46. Amend subrule 20.15(3), introductory paragraph, as follows:

20.15(3) Notification. Each utility shall notify all customers of the customer contribution fund at least twice a year. The method of notice which will ensure the most comprehensive notification to the utility's customers shall be employed. Upon commencement of service and at least once a year, the notice shall be mailed or personally delivered to all customers , or provided by electronic means to those customers who have consented to receiving electronic notices. The other required notice may be published in a local newspaper(s) of general circulation within the utility's service territory. A utility serving fewer than 6,000 customers may publish ~~their~~ its semiannual notices locally in a free newspaper, utility newsletter or shopper's guide instead of a newspaper. At a minimum, the notice shall include:

ITEM 47. Amend subrule 20.15(4) as follows:

20.15(4) Methods of contribution. The utility shall provide for contributions as monthly pledges, as well as one-time or periodic contributions. A pledge by a customer or other party shall not be construed to be a binding contract between the utility and the pledger. The pledge amount shall not be subject to delayed payment charges by the utility. Each utility may allow persons or organizations to contribute matching funds.

ITEM 48. Rescind and reserve subrule **20.15(6)**.

ITEM 49. Amend subrule 20.17(1) as follows:

20.17(1) Applicability and purpose. This rule applies to all rate-regulated utilities providing electric service in Iowa. Under ~~Title IV of the Clean Air Act Amendments of 1990~~, each electric utility is required to hold sufficient emission allowances to offset emissions at all affected and new units. The acquisition and disposition of emission allowances will be treated for ratemaking purposes as defined in this rule.

ITEM 50. Amend subrule 20.17(2) as follows:

20.17(2) Definitions. The following words and terms, when used in this rule, shall have the meaning indicated below:

~~"Allowance futures contract" is an agreement between a futures exchange clearinghouse and a buyer or seller to buy or sell an allowance on a specified future date at a specified price.~~

~~“Allowance option contract” is an agreement between a buyer and seller whereby the buyer has the option to transfer an allowance(s) at a specified date at a specified price. The seller of a call or put option will receive a premium for taking on the associated risk.~~

“Auction allowances” are allowances acquired or sold through EPA’s annual allowance auction.

“Boot” means something acquired or forfeited to equalize a trade.

“Direct sale allowances” are allowances purchased from the EPA in its annual direct sale.

~~“Emission for emission trade” is an exchange of one type of emission for another type of emission. For example, the exchange of SO₂ emission allowances for NO_x emission allowances.~~

“Fair market value” is the amount at which an allowance could reasonably be sold in a transaction between a willing buyer and a willing seller other than in a forced or liquidation sale.

“Historical cost” is the amount of cash or its equivalent paid to acquire an asset, including any direct acquisition expenses. Any commissions paid to brokers shall be considered a direct acquisition expense.

“Original cost” is the historical cost of an asset to the person first devoting the asset to public service.

“Statutory allowances” are allowances allocated by the EPA at no cost to affected units under the ~~Acid Rain Program~~ Clean Air Act either through annual allocations as a matter of statutory right and those for which a utility may qualify by using certain compliance options or effective use of conservation and renewables.

~~“Vintage trade” is an exchange of one vintage of allowances for another vintage of allowances with the difference in value between vintages being cash or additional allowances.~~

ITEM 51. Amend subrule 20.18(1) as follows:

20.18(1) Applicability. ~~Rule 199—20.18(476,478)~~ This rule is applicable to investor-owned electric utilities and electric cooperative corporations and associations operating within the state of Iowa subject to Iowa Code chapter 476 and to the construction, operation, and maintenance of electric transmission lines by electric utilities as defined in subrule 20.18(4) to the extent provided in Iowa Code chapter 478.

ITEM 52. Amend subrule 20.18(2) as follows:

20.18(2) Purpose and scope. Reliable electric service is of high importance to the health, safety, and welfare of the citizens of Iowa. The purpose of this rule ~~199—20.18(476,478)~~ is to establish requirements for assessing the reliability of the transmission and distribution systems and facilities that are under the board’s jurisdiction. This rule establishes reporting requirements to provide consumers, the board, and electric utilities with methodology for monitoring reliability and ensuring quality of electric service within an electric utility’s operating area. This rule provides definitions and requirements for maintenance of interruption data, retention of records, and report filing.

ITEM 53. Amend paragraph **20.18(3)“g”** as follows:

g. Any electric utility unable to comply with applicable provisions of this rule ~~199—20.18(476,478)~~ may file a waiver request pursuant to rule ~~199—1.3(17A,474,476,78GA,HF2206)~~ 199—1.3(17A,474,476).

ITEM 54. Amend subrule 20.18(4), introductory paragraph, as follows:

20.18(4) Definitions. Terms and formulas when used in this rule ~~199—20.18(476,478)~~ are defined as follows:

ITEM 55. Amend subrule **20.18(4)**, definition of “Customer,” as follows:

“*Customer*” means (1) any person, firm, association, or corporation, (2) any agency of the federal, state, or local government, or (3) any legal entity responsible by law for payment of the electric service from the electric utility which has a separately metered electrical service point for which a bill is ~~rendered~~ provided. Electrical service point means the point of connection between the electric utility’s equipment and the customer’s equipment. Each meter equals one customer. Retail customers are end-use customers who purchase and ultimately consume electricity.

ITEM 56. Amend subrule 20.18(7), introductory paragraph, as follows:

20.18(7) Annual reliability and service quality report for utilities with more than 50,000 Iowa retail customers. Each electric utility with over 50,000 Iowa retail customers shall submit to the board ~~and consumer advocate~~ on or before May 1 of each year an annual reliability report for the previous calendar

year for the Iowa jurisdiction. The report shall include the following information:

ITEM 57. Amend paragraph **20.18(7)“f”** as follows:

f. Plans and status report.

(1) A plan for service quality improvements, including costs, for the electric utility’s transmission and distribution facilities that will ensure quality, safe, and reliable delivery of energy to customers.

~~1. The plan shall cover not less than the three years following the year in which the annual report was filed. A copy of the electric utility’s documents and databases supporting capital investment and maintenance budget amounts required in 20.18(7)“g”(1) and 20.18(7)“h”(1), respectively, (including but not limited to transmission and distribution facilities, transmission and distribution control and communication facilities, and transmission and distribution planning, maintenance, and reliability-related computer hardware and software) shall be maintained in the utility’s principal Iowa business location and shall be available for inspection by the board and office of consumer advocate. The utility’s plan may reference said budget documents and databases, instead of duplicating or restating the detail therein. Copies of capital budgeting documents shall be maintained for five years.~~

~~2. The plan shall identify reliability challenges and may describe specific projects and projected costs. The filing of the plan shall not be considered as evidence of the prudence of the utility’s reliability expenditures.~~

~~3. The plan shall provide an estimate of the timing for achievement of the plan’s goals.~~

(2) A progress report on plan implementation. The report shall include identification of significant changes to the prior plan and the reasons for the changes.

ITEM 58. Amend paragraph **20.18(7)“i”** as follows:

i. The annual reliability report, ~~starting with the reliability report for calendar year 2008~~, shall include the number of poles inspected, the number rejected, and the number replaced.

ITEM 59. Amend subrule 20.18(8) as follows:

20.18(8) *Annual report for all electric utilities not reporting pursuant to 20.18(7).*

a. ~~By July 1, 2003, each~~ Each electric utility shall adopt and have approved by its board of directors

or other governing authority a reliability plan and shall file an informational copy of the plan with the board. The plan shall be updated not less than annually and shall describe the following:

(1) ~~The utility's current reliability programs, including:~~

~~1. Tree trimming cycle, including descriptions and explanations of any changes to schedules and procedures reportable in accordance with 199 IAC 25.3(3) "c";~~

~~2. Animal contact reduction programs, if applicable;~~

~~3. Lightning outage mitigation programs, if applicable; and~~

~~4. Other programs the electric utility may identify as reliability related.~~

(2) ~~Current ability to track and monitor interruptions.~~

(3) ~~How the electric utility plans to communicate its plan with customers/consumer owners.~~

b. ~~By April 1, 2004, and each April 1 thereafter of each year,~~ each electric utility shall prepare for its board of directors or other governing authority a reliability report. A copy of the annual report shall be filed with the board for informational purposes, shall be made publicly available in its entirety to customers/consumer owners, and shall report on ~~at least the following:~~ the reliability indices in 20.18(5) "b"(3) for each of the five previous calendar years.

(1) ~~Measures of reliability for each of the five previous calendar years, including reliability indices if required in 20.18(5) "b"(3). These measures shall start with data from the year covered by the first Annual Reliability Report so that by the fifth Annual Reliability Report submittal reliability measures will be based upon five years of data.~~

(2) ~~Progress on any reliability programs identified in its plan, but not less than the applicable programs listed in 20.18(8) "a"(1).~~

ITEM 60. Adopt the following new paragraph **20.19(2) "c"**:

c. The utility shall notify the board once service is fully restored to all customers after an outage meeting the requirements of subrule 20.19(1).