

COMMUNICATIONS NETWORK, IOWA[751]

Notice of Intended Action

Proposing rulemaking related to certification of use and waivers and providing an opportunity for public comment

The Iowa Communications Network hereby proposes to rescind Chapter 9, “Requests for Waiver of Network Use by Certified Users,” and to adopt a new Chapter 9, “Certification of Use and Waivers,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 8D.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 8D and Executive Order 10.

Purpose and Summary

Pursuant to Executive Order 10, the Iowa Communications Network proposes to rescind Chapter 9 and adopt a new chapter in lieu thereof. The chapter describes the certification use and waivers for use of the statewide network. The new chapter eliminates language that is overly restrictive or obsolete and shortens the chapter.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 15, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Iowa Communications Network for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Iowa Communications Network no later than 4:30 p.m. on October 1, 2026. Comments should be directed to:

Lori Larsen
Iowa Communications Network
Grimes State Office Building
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@iowa.gov or lori.larsen@icn.state.ia.us

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

September 30, 2026 10 to 11 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa
October 1, 2026 9 to 10 a.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Iowa Communications Network and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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).

The following rulemaking action is proposed:

ITEM 1. Rescind 751—Chapter 9 and adopt the following **new** chapter in lieu thereof:

CHAPTER 9 CERTIFICATION OF USE AND WAIVERS

751—9.1(8D) Purpose. This chapter establishes the process for a certifying user, as defined in Iowa Code section 8D.9, to request a waiver to use a telecommunications provider other than the network.

751—9.2(8D) Waiver request process.

9.2(1) Submission. A certifying user seeking a waiver from the use of the network shall submit a written request to the commission 15 days prior to a regularly scheduled meeting.

9.2(2) Content. The request must include a brief explanation of why the alternative telecommunications service is more cost-effective, is more operationally efficient, or better meets the specific technical needs of the user compared to the services available via the network.

751—9.3(8D) Review and approval.

9.3(1) The commission shall review the waiver request at a regularly scheduled meeting.

9.3(2) If the request demonstrates that the alternative service is in the best operational or financial interest of the certifying user, the commission shall grant the waiver.

9.3(3) A written determination shall be issued to the user following the commission's decision.

These rules are intended to implement Iowa Code sections 8D.3(3) "b" and 8D.9(2) "b."