

COMMUNICATIONS NETWORK, IOWA[751]

Adopted and Filed

Rulemaking related to certification of use and waivers

The Iowa Communications Network (ICN) hereby rescinds Chapter 9, “Requests for Waiver of Network Use by Certified Users,” and adopts a new Chapter 9, “Certification of Use and Waivers,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted 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

The chapter describes the certification of use and waivers for use of the statewide network. This chapter was reviewed pursuant to Executive Order 10. As a result, the ICN removed redundant and obsolete language.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on September 2, 2026, as **ARC 0506D**. A public hearing was held on the following date(s):

- September 30, 2026
- October 1, 2026

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the ICN Executive Director on October 7, 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 ICN for a waiver of the discretionary provisions, if any, pursuant to 751—Chapter 2504.

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).

Effective Date

This rulemaking will become effective on December 2, 2026.

The following rulemaking action is adopted:

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.”

[Filed 10/7/26, effective 12/2/26]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/28/26.