

UTILITIES DIVISION[199]

Adopted and Filed

Rule making related to energy efficiency of nonregulated utilities

The Utilities Board hereby rescinds Chapter 36, “Energy Efficiency Planning and Reporting for Natural Gas and Electric Utilities Not Required to Be Rate-Regulated,” 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, 2018 Iowa Acts, chapter 1135, sections 4, 5, and 11.

Purpose and Summary

The purpose of this rule making is to rescind the Board’s rules regarding energy efficiency filing requirements for natural gas and electric utilities not required to be rate-regulated. The requirements were repealed effective July 1, 2018, in 2018 Iowa Acts, chapter 1135, sections 4, 5, and 11. On December 28, 2018, the Board issued an order adopting rescission and reservation. The order is available on the Board’s electronic filing system, efs.iowa.gov, under Docket No. RMU-2018-0001.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 12, 2018, as **ARC 3990C**. There were no adverse comments. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on December 28, 2018.

Fiscal Impact

The rescission removes energy efficiency requirements in the existing rules as mandated by state law. No additional actions having a fiscal impact are being adopted.

Jobs Impact

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

Waivers

No waiver provision is included in the amendment because the Board has a general waiver provision in rule 199—1.3(17A,474,476) that provides procedures for requesting a waiver of the Board’s rules.

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 March 6, 2019.

The following rule-making action is adopted:

Rescind and reserve **199—Chapter 36**.

[Filed 12/17/18, effective 3/6/19]

[Published 1/30/19]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/30/19.