

476.98 Earnings calculation and report.

The consumer advocate shall calculate an estimate of the return of a local exchange carrier operating under price regulation pursuant to section 476.97 as if the carrier were subject to rate-of-return regulation. The calculation shall be based upon the annual report of such carrier and other information provided to the consumer advocate by the carrier. The calculation shall be made every two years beginning following the end of the second calendar year after the year in which the plan becomes effective. Notwithstanding section 476.1D, subsection 4, the consumer advocate shall make two calculations pursuant to this section with one calculation taking into account the investment, revenues, and expenses associated with the sale of classified directory advertising, and one calculation not taking into account such investment, revenues, and expenses. The consumer advocate shall provide a written report to the general assembly including the results of this calculation on or before July 1 of the year immediately following the two-year period for which a calculation is made. If, after a review of the information used to make the calculation required in this section, the consumer advocate determines that the public interest would be better served by a different form of rate regulation, the consumer advocate shall provide a recommendation that the general assembly direct the utilities board to implement a different form of rate regulation.

95 Acts, ch 199, §9; 98 Acts, ch 1151, §4