

476.1A Applicability of authority — certain electric utilities.

1. Electric public utilities having fewer than ten thousand customers and electric cooperative corporations and associations are not subject to the regulation authority of the board, except for regulatory action pertaining to all of the following:

a. Assessment of fees for the support of the division and the office of consumer advocate, pursuant to [section 476.10](#).

b. Safety and engineering standards for equipment, operations, and procedures.

c. Assigned area of service.

d. Pilot projects of the board.

e. Assessment of fees for the support of the Iowa energy center created in [section 15.120](#) and the center for global and regional environmental research established by the state board of regents. This paragraph “e” is repealed July 1, 2022.

f. Filing alternate energy purchase program plans with the board, and offering such programs to customers, pursuant to [section 476.47](#).

2. However, [sections 476.20](#), [subsections 1 through 4](#), [476.21](#), [476.51](#), [476.56](#), [476.62](#), and [476.66](#) and [chapters 476A](#) and [478](#), to the extent applicable, apply to such electric utilities.

3. Electric cooperative corporations and associations and electric public utilities exempt from rate regulation under [this section](#) shall not make or grant any unreasonable preferences or advantages as to rates or services to any person or subject any person to any unreasonable prejudice or disadvantage.

4. The board of directors or the membership of an electric cooperative corporation or association otherwise exempt from rate regulation may elect to have the cooperative’s rates regulated by the board. The board shall adopt rules prescribing the manner in which the board of directors or the membership of an electric cooperative may so elect. If the board of directors or the membership of an electric cooperative has elected to have the cooperative’s rates regulated by the board, after two years have elapsed from the effective date of such election the board of directors or the membership of the electric cooperative may elect to exempt the cooperative from the rate regulation authority of the board, provided, however, that if the membership elected to have the cooperative’s rates regulated by the board, only the membership may elect to exempt the cooperative from the rate regulation authority of the board.

[86 Acts, ch 1039, §1](#); [88 Acts, ch 1174, §1](#); [88 Acts, ch 1175, §1](#); [89 Acts, ch 297, §9](#); [90 Acts, ch 1252, §19](#); [96 Acts, ch 1196, §2, 3](#); [2001 Acts, 1st Ex, ch 4, §8, 36](#); [2008 Acts, ch 1133, §2, 9](#); [2017 Acts, ch 169, §36, 49](#); [2018 Acts, ch 1135, §4](#)

Referred to in [§476.44](#), [476.58](#)

Subsections 1, 2, and 4 amended