

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 board and the office of consumer advocate, pursuant to [section 476.10](#).
- b. Safety standards and engineering standards.
- c. Assigned areas of service, as set forth in [sections 476.22 through 476.26](#).
- d. Public utility railroad crossings, as set forth in [section 476.27](#).
- e. 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, 476.58, 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.

5. An electric utility subject to regulatory action pursuant to [this section](#) is subject to complaints and investigations as set forth in [section 476.3](#), but only with regard to matters within the regulatory authority of the board as set forth in [subsections 1 and 2](#).

6. As used in [this section](#):

a. "*Engineering standards*" means standards adopted by the American national standards institute, or the institute of electrical and electronics engineers, rural utilities service, or comparable engineering organization or engineering standards adopted by the board.

b. "*Rates*" means the same as defined in [section 384.80](#) and includes all charges or fees imposed or collected for the provision of or incidental to utility service.

c. "*Safety standards*" means applicable regulations promulgated by the United States occupational safety and health administration and by the labor commissioner under [chapter 88](#). Safety standards for electric utilities subject to [this section](#) also include outage notifications, safety standards contained in the national electric safety code, as published by the institute of electrical and electronic engineers, inc., and electric safety standards approved by the American national standards institute.

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; 2023 Acts, ch 19, §2671; 2023 Acts, ch 51, §1; 2023 Acts, ch 119, §40

Referred to in [§476.20, 476.44, 476.58](#)

See Code editor's note on simple harmonization at the beginning of this Code volume
Section amended