

**476.1B Applicability of authority — municipally owned utilities.**

1. A municipally owned utility furnishing gas or electricity is not subject to the regulation authority of the board, except for regulatory action pertaining to the following:

a. Assessment of fees for the support of the board and the office of consumer advocate, as set forth in [section 476.10](#).

b. Safety 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. An electric power agency as defined in [chapter 28F](#) and [section 390.9](#) that includes as a member a city or municipally owned utility that builds transmission facilities after July 1, 2001, is subject to applicable transmission reliability rules or standards adopted by the board for those facilities.

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

2. [Section 476.20](#), [subsections 1 through 4](#), [sections 476.51](#), [476.56](#), [476.58](#), [476.62](#), and [476.66](#) and [chapters 476A](#) and [478](#), to the extent applicable, apply to such electric and gas utilities.

3. A municipally owned utility providing local exchange services is not subject to the regulation authority of the board except for regulatory action pertaining to the enforcement of [sections 476.10](#), [476.95](#), [476.95A](#), [476.95B](#), [476.100](#), [476.102](#), and [476.103](#).

4. 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](#).

[86 Acts, ch 1162, §1](#); [88 Acts, ch 1174, §2](#); [88 Acts, ch 1175, §2](#); [89 Acts, ch 297, §10](#); [90 Acts, ch 1252, §20](#); [96 Acts, ch 1196, §4, 5](#); [97 Acts, ch 81, §1, 2, 6](#); [99 Acts, ch 63, §7, 8](#); [2001 Acts, 1st Ex, ch 4, §9, 36](#); [2008 Acts, ch 1133, §3, 9](#); [2010 Acts, ch 1018, §6](#); [2017 Acts, ch 62, §4](#); [2017 Acts, ch 169, §37, 49](#); [2018 Acts, ch 1135, §5](#); [2018 Acts, ch 1160, §5](#); [2023 Acts, ch 19, §2672](#); [2023 Acts, ch 51, §2](#)

Referred to in [§364.3](#), [476.20](#), [476.58](#)

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

Section amended