

CHAPTER 3
DECLARATORY RULINGS

817—3.1(ExecOrd48) Declaratory rulings. The commission shall provide declaratory rulings as to applicability of any statutory provision, rule, or other written statement of law or policy, decision or order when petitioned to do so by the public where, in the judgment of the commission, it is necessary or helpful for them to conduct their affairs in accordance with the law.

Requests for declaratory rulings shall be made to the commission coordinator in writing.

Within 30 days after submission of a request for declaratory ruling, the commission shall issue a ruling on the rule, statute, or policy in question. The ruling shall be in writing.

The commission may decline to rule when, in the judgment of the commission, the ruling would be beyond the commission's realm of authority, when no clear answer is determinable, or when the issue presented is pending resolution by a court of Iowa or by the attorney general.

817—3.2(ExecOrd48) Procedure for informal settlements in contested cases. Unless precluded by statute, informal settlement of disputes over rules of the commission that may otherwise result in contested case proceedings as prescribed in Iowa Code section 17A.12 shall be encouraged. All informal settlements shall be made by the commission coordinator subject to ratification by the commission and by the parties contesting the rule in question. The settlement shall be expressed in a written stipulation representing an informed mutual consent.

These rules are intended to implement Executive Order Number 48.

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