

**199—17.4(476) Direct assessments under Iowa Code section 476.10.**

**17.4(1)** The following persons will not be directly assessed for participating in a commission proceeding or matter unless the commission issues an order finding that the person may be directly assessed for that participation:

*a.* An individual who files a complaint against a public utility, so long as the individual's participation in the proceeding is in good faith.

*b.* An individual who files a protest or inquiry or intervenes in a proceeding involving a rate change by a public utility, so long as the individual's participation in the proceeding is in good faith.

*c.* Any person filing written or oral comments in a rulemaking proceeding.

*d.* An intervenor in a commission proceeding. However, the commission may decide to directly assess a person who intervenes if the commission determines that the person's intervention or participation is not in good faith, the commission determines the intervention significantly expands the scope of the proceeding without contribution to the public interest, or the commission determines there are unusual circumstances warranting assessment.

**17.4(2)** In deciding whether to directly assess a person and, if so, the amount to be directly assessed, the commission may consider the factors contained in Iowa Code section 476.10 and other factors deemed appropriate by the commission in that particular case.

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