

199—42.1(476) Definitions. The following words and terms, when used in these rules, have the meanings set forth in Iowa Code section 476.27: “crossing,” “direct expenses,” “electric transmission owner,” “facility,” “public utility,” “railroad” or “railroad corporation,” “railroad right-of-way,” and “special circumstances.”

In addition, as used in this chapter, the following definitions apply:

“*AREMA Manual*” means the American Railway Engineering and Maintenance-of-Way Association Manual for Railway Engineering—2024, which is a source of generally accepted engineering practices for the railway industry.

“*CFR*” means the Code of Federal Regulations, which contains the general administrative rules adopted by federal departments and agencies, in effect as of May 20, 2024, unless a separate effective date is identified in a specific rule.

“*Commission*” means the Iowa utilities commission.

“*Complainant*” means a person who complains to the commission by written complaint regarding any of the issues identified in Iowa Code section 476.27(2) or these rules.

“*Petitioner*” means a person who files a written petition with the commission seeking a determination of special circumstances pursuant to Iowa Code section 476.27(4).

“*Respondent*” means a person against whom a complaint or petition is filed.

“*Small utility*” means a public utility and all affiliates of the public utility that collectively serve fewer than 20,000 customers. For purposes of this definition, a “customer” means the party responsible for payment of the utility services. When the specification exhibit is filed with the railroad, the small utility will certify on the specification exhibit that it meets the definition of a small utility as contained in this rule. The specification exhibit will also state that at such time that the small utility no longer meets the small utility definition, it will have an affirmative duty to so notify the railroad.

[ARC 8257C, IAB 10/16/24, effective 11/20/24]