

199—4.1(17A) Petition for declaratory order. Any person may file a petition with the Iowa utilities board for a declaratory order as to the applicability to specified circumstances of a statute, rule, or order within the primary jurisdiction of the board. Except as otherwise expressly provided in this chapter, the rules of procedure applicable to a petition for a declaratory order shall be those set forth in 199—Chapter 7. Additional requirements applicable to a petition for a declaratory order are established by Iowa Code section 17A.9.

4.1(1) The petitioner shall file a petition for a declaratory order with the board in the manner provided by 199—Chapter 14. A petition is deemed filed when it is received by the board.

4.1(2) The petition shall be dated and signed by, and shall include appropriate contact information for, the petitioner and shall set forth the following information (a sample form of a petition for a declaratory order is available at the board's website, iub.iowa.gov):

a. The question or questions that petitioner wishes the board to determine, stated clearly and concisely;

b. A clear and concise statement of all relevant facts on which the ruling is requested, including the petitioner's interest in the issue;

c. A citation to and the relevant language of the statutes, rules, policies, decisions, or orders that are applicable or whose applicability is in question and any other relevant law;

d. The petitioner's proposed answers to the questions raised and a summary of the reasons urged by the petitioner in support of those answers, including a statement of the legal support for the petitioner's position;

e. A statement indicating whether the petitioner is currently a party to another proceeding involving the questions at issue and whether, to the petitioner's knowledge, those questions have been decided by, are pending determination by, or are under investigation by, any governmental entity;

f. The names and addresses of other persons, or a description of any class of persons, known by the petitioner to be affected by, or interested in, the questions presented in the petition; and

g. A statement whether the petitioner requests a meeting as provided for by rule 199—4.7(17A).

[Editorial change: IAC Supplement 12/29/10; **ARC 3645C**, IAB 2/14/18, effective 3/21/18]