

875—83.1(17A,89) Petition for declaratory order. Any person may file at the board office a petition with the 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. A petition is deemed filed when it is received by that office. The board shall provide the petitioner with a file-stamped copy of the petition if the petitioner provides the board an extra copy for this purpose.

83.1(1) The required form for a petition for declaratory order is available on the board's website at iowaboilers.gov. The petition must be in writing and provide the following information where applicable and known to the petitioner:

- a.* A clear and concise statement of all relevant facts on which the order is requested.
- b.* A citation and the relevant language of the specific statutes, rules, policies, decisions, or orders whose applicability is questioned, and any other relevant law.
- c.* Clear and concise questions the petitioner wants the board to answer.
- d.* The answers to the questions desired by the petitioner and a summary of the reasons urged by the petitioner in support of those answers.
- e.* The reasons for requesting the declaratory order and disclosure of the petitioner's interest in the outcome.
- f.* 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 directed by, are pending determination by, or are under investigation by any governmental entity.
- g.* The names and addresses of other persons, or a description of any class of persons, known by petitioner to be affected by, or interested in, the questions in the petition.

83.1(2) The petition must be dated and signed by the petitioner or the petitioner's representative. It must also include the name, mailing address, and telephone number of the petitioner and petitioner's representative, and a statement indicating the person to whom communications concerning the petition should be directed.

[ARC 9082B, IAB 9/22/10, effective 10/27/10; ARC 0319C, IAB 9/5/12, effective 10/10/12; ARC 3635C, IAB 2/14/18, effective 3/21/18]