

199—34.4(476) Engaged primarily in providing the same competitive nonutility services in the area—defined. *“A person is engaged primarily in providing the same competitive nonutility services in the area”* when the person on an ongoing basis sells or leases equipment or products or offers services, accounting for at least 60 percent of the person’s gross business revenue, which are functionally interchangeable and considered similar by the public with the nonutility service provided by a public utility in the same identifiable geographic area where the public utility provides utility service.
[ARC 3695C, IAB 3/14/18, effective 4/18/18]