

199—5.2(476) Petition.

5.2(1) *Petitioner.* Any interested person may petition the board for a determination of the following under Iowa Code section 476.1D.

a. Whether a communications service or facility provided or proposed to be provided by a telephone utility in Iowa is subject to effective competition;

b. Whether a communications service or facility provided or proposed to be provided by a telephone utility in Iowa, which is subject to effective competition, is an essential communications service or facility and the public interest warrants service regulation;

c. Whether a communications service or facility, which previously has been deregulated, is no longer subject to effective competition and rate and service regulation should be reimposed; or

d. Whether a communications service or facility, which previously has been deregulated and which continues to be subject to effective competition, is an essential communications service and the public interest warrants service regulation, and service regulation only should be reimposed.

5.2(2) *Contents of petition.* A petition for a determination under subrule 5.2(1) shall contain or be submitted with the following information:

a. The specific service or facility which the petitioner is asking the board to consider;

b. Data sufficient to support a prima facie finding that the service or facility is or is no longer subject to effective competition or is an essential communications service or facility and the public interest warrants service regulation;

c. In a petition for determination of whether a communications service or facility is subject to effective competition, an identification of all persons or parties who are actual or potential competitive providers of the service or facility.

[ARC 4414C, IAB 4/24/19, effective 5/29/19]