

199—24.5(476A) Initial commission review—application acceptance.

24.5(1) Upon the filing of the application or a portion of the application, the commission and the appropriate regulatory agencies shall determine whether the application is in substantial compliance with the requirements of rule 199—24.4(476A). If any significant deficiencies are determined to exist in the application, or such portion of the application, by either the commission or regulatory agency, the commission shall notify the applicant specifying such deficiencies within 45 days from the date of the filing of the application or such portion of the application.

24.5(2) The applicant shall have 30 days from notification of deficiencies to amend or request, for good cause, a reasonable extension of time to amend. In the event the applicant fails to amend within the time allowed or, after amendment, the application or portion thereof filed is not in substantial compliance with the requirements of rule 199—24.4(476A), the commission may reject the application or such portion thereof. Such rejection shall constitute final agency action but shall not preclude reapplication.

24.5(3) If the application or portion thereof, after amendment or otherwise, is in substantial compliance with the requirements of rule 199—24.4(476A), the commission shall, within 45 days of the filing of the application or portion thereof or amendment thereto, accept the application or portion thereof and set the time and place for hearing as provided in rule 199—24.6(476A); provided that upon acceptance of a partial application, the commission may order separate proceedings on particular phases of the application, pursuant to rule 199—24.9(476A), where such partial application permits a finding to be made with regard to any of the facility siting criteria contained in subrule 24.10(2).

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