

**565—3.11(473) What to file.**

**3.11(1)** Application for assignment from the state set-aside system may be by the appropriate form, by other written communication or by verbal, including telephonic, request.

**3.11(2)** Every application, whether written or verbal, shall provide sufficient information to enable the director to determine that the proposed allocation satisfies the criteria for assignment contained in rule 3.13(473) and shall include all of the information required by subrule 3.11(3) of this rule.

**3.11(3)** Wherever possible, applicants should submit a completed copy of the form entitled “Application for Set-Aside Fuel.” Copies of this form may be obtained from the administrative support station, energy and geological resources division. Any request, whether by form or otherwise, must include the following information:

- a.* Applicant’s name and address.
- b.* Telephone number.
- c.* Nature of the application.
- d.* Product required.
- e.* Applicant’s past and current supply situation.
- f.* Supplier’s(s’) name and address.
- g.* Explanation of product end uses.
- h.* The identification of any previous assignment order from the state set-aside system that was issued to the applicant or to any person that controls or is controlled by the applicant.
- i.* A statement that an energy conservation program is in effect. Such program may include reducing operating hours, establishing minimum purchase requirements, increased energy efficiencies in buildings and vehicles, and reducing nonessential energy usage.
- j.* A statement that the applicant’s base period supplier or new supplier is unable to supply the applicant’s requirements or, if the applicant does not have a supplier, a statement that the applicant has contacted two suppliers that could supply the allocated product and the identification of those suppliers.
- k.* If the applicant is a wholesale purchaser-reseller, the application shall contain a description of the wholesale purchaser-consumers and end-users that will be supplied and their hardship and emergency requirements.
- l.* Justification for hardship.
- m.* Applicant’s dated, certifying signature.

**3.11(4)** With respect to verbal applications, the director shall determine first whether the claimed hardship is of such an emergency character that prior written application is impracticable. If so, the director shall obtain all required information of the applicant and may act thereon or may seek such verification as is possible and appropriate in the judgment of the director, given the circumstances of the applicant. Any verbal request must be immediately verified by the applicant in writing, which writing shall contain all of the information required by these rules. Failure to submit written verification shall result in denial of the application, rescission of an order of assignment, or other relief as the director deems appropriate.

If the director determines that the claimed hardship is not of such an emergency character that action upon verbal request is appropriate, the applicant shall submit a written application as provided in these rules.