

**199—42.18(17A,476) Complaints and petitions for relief.**

**42.18(1) *Complaints.*** A railroad or public utility that has a complaint regarding any of the issues identified in Iowa Code section 476.27(2) that cannot be resolved without intervention by the commission may file a complaint with the commission.

**42.18(2) *Petitions for relief.*** A railroad or public utility that believes special circumstances exist for a particular crossing pursuant to Iowa Code section 476.27(4) may file a petition for relief with the commission if the railroad and the public utility have been unable to resolve their differences without intervention by the commission.

**42.18(3) *Information to be filed.*** The written complaint or petition should include the following information:

- a. The name, address, telephone number, and contact person for the complainant or petitioner and the complainant's or petitioner's attorney, if any;
- b. The basis for the commission's jurisdiction over the matter;
- c. A statement of the complainant's or petitioner's position and a detailed discussion of the facts that support the complainant's or petitioner's position, including a description of the issues involved, why special circumstances exist for the particular crossing, the resolution or relief requested, and the facts supporting the resolution or relief requested;
- d. The particular provisions of the statutes and rules involved;
- e. A description of the attempts made to informally resolve the issues involved in the complaint or petition;
- f. All documentation relied on to support the facts alleged in the complaint or petition and the requested resolution or relief; and
- g. The name, address, telephone number, contact person and attorney, if any, for the other railroad or public utility involved and a statement that the complaint or petition was served on the other railroad or public utility involved and the consumer advocate, the method of service, and the date served.

**42.18(4) *Electronic filing required.*** Complaints and petitions for relief shall be filed in the commission's electronic filing system as described in 199—Chapter 14.

**42.18(5) *Expedited timeline.*** The commission recognizes that the parties will ordinarily require a swift decision. Therefore, the shortened time limits applicable to expedited proceedings in 199—Chapter 7 shall apply to contested cases brought under this chapter.

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