

**199—24.2(476A) Definitions.** As used in this chapter:

*“Acid Rain Program”* means the sulfur dioxide and nitrogen oxides air pollution control program established pursuant to Title IV of the Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Pub. L. 101-549, November 15, 1990.

*“Act”* means Iowa Code chapter 476A entitled Electric Power Generators.

*“Agency”* means an agency as defined in Iowa Code section 17A.2(1).

*“Allowance”* means an authorization, allocated by the federal Environmental Protection Agency under the Acid Rain Program, to emit up to one ton of sulfur dioxide, during or after a specified calendar year.

*“Applicant”* means the person or persons who make an application for a certificate for a facility or an amendment to a certificate for a facility under the Act. For projects with more than one participant, the applicant may be that person designated by and acting on behalf of the participants.

*“Application”* means an application for a certificate or an amendment to a certificate submitted to the board pursuant to the Act.

*“Board”* means the utilities board.

*“Certificate”* means a certificate as defined in Iowa Code section 476A.1.

*“Contested case proceeding”* means the contested case proceeding before the board prescribed by Iowa Code section 476A.4.

*“Facility”* means any electric power generating plant or combination of plants at a single site, owned by any person, with a maximum generator nameplate capacity of 25 megawatts of electricity or more and those associated transmission lines connecting the generating plant to either a power transmission system or an interconnected primary transmission system or both. This term includes any generation addition that increases the total maximum generator nameplate capacity at one site to 25 megawatts or more, but does not include those transmission lines beyond the generation station’s substation.

*“Interested agency”* means an agency, other than a regulatory agency, which the board in its discretion determines to have a legitimate interest in the disposition of the application.

*“Intervenor”* means a person who received notice under 24.6(2) “b,” “c,” “d,” “e,” or “f” and has filed with the board a written notice of intervention, or a person granted permission to intervene by the board after filing a petition pursuant to rule 199—7.13(17A,476).

*“Participant”* means any person who either jointly or severally owns or operates a proposed facility or significant alteration thereto or who has contracted or intends to contract for a purchase of electricity produced by the subject facility.

*“Party”* means each person or agency named or admitted as a party, including the applicant, intervenors, and consumer advocate.

*“Person”* means individual, corporation, cooperative, government or governmental subdivision or agency, partnership, association or other legal entity.

*“Public utility”* means a public utility as defined in Iowa Code section 476.1.

*“Regulatory agency”* means a state agency which issues licenses or permits required for the construction, operation or maintenance of a facility pursuant to statutes or rules in effect on the date on which an application for a certificate is accepted by the board.

*“Significant alteration”* means:

- a. A change in the generic type of fuel used by the major electric generating facility; or
- b. Any change in the location, construction, maintenance, or operation of equipment at an existing facility that increases the maximum generator nameplate capacity of the facility by at least 10 percent and at least 25 megawatts.

*“Site”* means the land on which the generating unit of the facility, and any cooling facilities, cooling water reservoirs, security exclusion areas, and other necessary components of the facility, are proposed to be located.

*“Site impact area”* means the area within the state of Iowa within a ten-mile radius of the intersection of the transverse centerline axis and longitudinal centerline axis of the generator or all such generators where the proposed facility includes multiple generators.

“*Zoning authority*” means any city or county zoning authority in whose jurisdictional area a proposed facility site or portion thereof is located.  
[ARC 3751C, IAB 4/11/18, effective 5/16/18]