

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>AMENDMENTS TO INFORMATIONAL MEETING ACCESSIBILITY REQUIREMENTS [199 IAC 10.3(1), 11.4(1), 13.3(1), AND 24.7(2)]</p>	<p>DOCKET NO. RMU-08-1</p>
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ORDER ADOPTING AMENDMENTS

(Issued April 17, 2008)

Pursuant to the authority of Iowa Code §§ 17A.4, 476.2, 476A.12, 478.2, 479.4, and 479.5 the Utilities Board (Board) is amending 199 IAC 10.3(1), 11.4(1), 13.3(1), and 24.7(2) to reflect the rescission of Iowa Code § 104A.3 and to update the requirements for informational meetings for gas pipelines, electric lines, hazardous liquid lines, and electric power generating stations as described in the "Adopted and Filed" notice attached hereto and incorporated herein by reference. This proceeding was initiated by order issued February 11, 2008. A "Notice of Intended Action" with proposed amendments was published in IAB Vol. XXX, No. 19 (3/12/08) p. 1398, as ARC 6626B.

Consumer Advocate Division of the Department of Justice filed comments in support of the proposed amendments. No comments were filed objecting to the proposed amendments or suggesting changes to the proposed language. The Board will adopt the proposed amendments as published with some editorial changes for

clarity. Other editorial changes may be made by the Code Editor before publication. The final version of the adopted amendments will be available in the May 7, 2008, Iowa Administrative Bulletin.

IT IS THEREFORE ORDERED:

1. Amendments to the Board's rules, as described in the attached notice and identified as Docket No. RMU-08-1, are adopted.
2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 17th day of April, 2008

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code sections 17A.4, 476.2, 476A.12, 478.2, 479.4, and 479.5 the Utilities Board (Board) gives notice that on April 17, 2008, the Board issued an order in Docket No. RMU-08-1, In re: Amendments to Informational Meeting Accessibility Requirements [199 IAC 10.3(1), 11.4(1), 13.3(1), and 24.7(2)], "Order Adopting Amendments." The Board is adopting amendments to subrules 10.3(1), 11.4(1), 13.3(1), and 24.7(2), to reflect the rescission of Iowa Code section 104A.3 and to update accessibility requirements for facilities used for informational meetings under Board rules. Current rules refer to Iowa Code section 104A.3 and the Americans With Disabilities Act of 1990 to establish standards recommended for facilities used for information meetings for proposed gas pipelines, electric lines, hazardous liquid pipelines, and electric power generating facilities. The adopted rules reference the American With Disabilities Act Guidelines, Chapter 4, which is the standard used by the Iowa State Building Code Commissioner.

No comments were filed opposing the proposed amendments or suggesting changes to the proposed amendments. The Board is adopting some editorial revisions to the proposed amendments for clarity. No substantive revisions are adopted. The order adopting the amendments can be found on the Board's Web site, www.state.ia.us/iub.

The amendments are intended to implement Iowa Code sections 17A.4, 476.2, 476A.12, 478.2, 479.5, and 479B.4.

These amendments will become effective on June 11, 2008.

The following amendments are adopted.

ITEM 1. Amend subrule 10.3(1) as follows:

10.3(1) Facilities. Prospective petitioners for a permit shall be responsible for all negotiations and compensation for a suitable facility to be used for each informational meeting, including but not limited to a building or facility which is in substantial compliance with the requirements of the Americans With Disabilities Act Accessibility Guidelines, Chapter 4, where such a building or facility is reasonably available of 1990, ~~parking facilities and electronic voice amplification equipment when over 100 notices are served. Reasonable effort shall be made to select a building or facility that conforms to the access requirements of Iowa Code section 104A.3, subsections 2, 3, and 4.~~

ITEM 2. Amend subrule 11.4(1) as follows:

11.4(1) Facilities. Prospective petitioners for franchise shall be responsible for all negotiations and compensation for a suitable facility to be used for each informational meeting, including but not limited to a building or facility which is in substantial compliance with the requirements of the Americans With Disabilities Act Accessibility Guidelines, Chapter 4, where such a building or facility is reasonably available of 1990, ~~parking facilities and electronic voice amplification equipment when over 100 notices are served. Reasonable effort shall be made to select a building or facility that conforms to the access requirements of Iowa Code section 104A.3, subsections 2, 3, and 4.~~

ITEM 3. Amend subrule 13.3(1) as follows:

13.3(1) Facilities. Prospective petitioners for a permit shall be responsible for all negotiations and compensation for a suitable facility to be used for each informational meeting, including but not limited to a building or facility which is in substantial compliance with the requirements of the Americans With Disabilities Act Accessibility Guidelines, Chapter 4, where such a building or facility is reasonably available of 1990, ~~parking facilities and electronic voice amplification equipment when over 100 notices are served. Reasonable effort shall be made to select a building or facility that conforms to the access requirements of Iowa Code section 104A.3, subsections 2, 3, and 4.~~

ITEM 4. Amend subrule 24.7(2) as follows:

24.7(2) Meeting facilities. The applicant shall be responsible for all negotiations and compensation for a suitable ~~meeting place~~ facility to be used for each informational meeting, including but not limited to a building or facility which is in substantial compliance with the requirements of the Americans With Disabilities Act Accessibility Guidelines, Chapter 4, where such a building or facility is reasonably available of 1990, ~~parking facilities and electronic voice and amplification equipment when over 100 notices are served. Reasonable effort shall be made to select a building or facility that conforms to the access requirements of Iowa Code section 104A.3, subsections 2, 3, and 4.~~

April 17, 2008

/s/ John R. Norris

John R. Norris
Chairman