RA 26-120

COMMUNICATIONS NETWORK, IOWA[751]

Regulatory Analysis

Notice of Intended Action to be published: 751—Chapter 17
"Miscellaneous"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 8D
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, Senate File 2370

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 15, 2026 1 to 2 p.m.	ICN Director's Conference Room Grimes State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Iowa Communications Network no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Lori Larsen
400 East 14th Street
Des Moines, Iowa 50319
Phone: 515.725.4713
Email: lori.larsen@icn.state.ia.us or lori.larsen@iowa.gov

Purpose and Summary

Pursuant to Executive Order 10, the agency proposes to rescind Chapter 17 and adopt a new chapter in lieu thereof. The chapter describes the miscellaneous guidelines for specific administrative, operational, and financial functions of the statewide fiber optic network. This proposed rulemaking eliminates language that is overly restrictive or obsolete and shortens the chapter.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
- **Classes of persons that will bear the costs of the proposed rulemaking:**

There is no direct cost associated with the proposed rulemaking.
- **Classes of persons that will benefit from the proposed rulemaking:**

All individuals within the State benefit from a well-run and organized State communications network.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
- **Quantitative description of impact:**

There is no quantitative impact.
- **Qualitative description of impact:**

The qualitative impact is positive; the rulemaking simplifies the regulatory environment by removing obsolete language and providing clearer guidance for specific administrative, operational, and financial functions of the agency.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs to the State or the agency associated with this rulemaking.

- **Anticipated effect on State revenues:**

There are no anticipated effects on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Not applicable.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The agency seeks to implement these rules in a minimally intrusive and minimally prescriptive manner while still fulfilling the responsibilities of maintaining a well-run State communications network.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

No other methods were considered because the proposed rulemaking is necessary to comply with the Executive Order 10 mandate to streamline and modernize existing rules.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind 751—Chapter 17 and adopt the following **new** chapter in lieu thereof:

CHAPTER 17
MISCELLANEOUS

751—17.1(8D) Purpose. This chapter outlines specific administrative, operational, and financial functions of the agency, including asset disposal, network topology definitions, shared use agreements, and billing services.

751—17.2(8D) Network parts and right-of-way. The agency shall manage and operate the state communications network, which consists of Part I, Part II, and Part III fiber optic infrastructure as defined in Iowa Code section 8D.13. To facilitate the maintenance and expansion of these network parts, the executive director may negotiate and enter into necessary space and right-of-way agreements.

751—17.3(8D) Transfer and disposal of assets.

17.3(1) The executive director may dispose of property or equipment under the agency's ownership or control when the property or equipment becomes unnecessary, obsolete, or unfit for further use.

17.3(2) The agency may dispose of unnecessary or unfit property by sale, auction, broker, trade, consignment, or any other manner that maximizes the value to the state and fairly disposes of the property. Proceeds from the disposition of the property shall be retained by the agency.

751—17.4(8D) Partnerships and shared use agreements.

17.4(1) The executive director may enter into shared use agreements or partnerships with public or private entities, including cities, municipalities, and other nonauthorized users, to maximize the operational efficiency of the network.

17.4(2) Such partnerships shall be established to facilitate shared data connectivity, emergency management interoperability, or public safety services, provided such agreements do not violate statutory prohibitions against the provision of retail commercial services.

751—17.5(8D) Billing services.

17.5(1) *Billing on behalf of an authorized user.* The agency may invoice and collect fees on behalf of an authorized user for services provided across the network.

17.5(2) *Billing for shared use and space agreements.* The agency shall possess the authority to generate invoices, collect payments, and manage financial accounts for nonauthorized users operating under a valid shared use agreement, right-of-way agreement, or space collocation agreement.

These rules are intended to implement Iowa Code sections 23A.2, 8D.3 and 8D.11.