Iowa Utilities Commission

INSTRUCTIONS FOR COMPLETING APPLICATION AND NOTICE FORMS FOR CERTIFICATES OF FRANCHISE AUTHORITY

Background: Iowa Code chapter 477A authorizes the Iowa Utilities Commission (IUC) to issue certificates of franchise authority to cable and video service providers in Iowa. Commission rules regarding certificates of franchise authority are found at 199 Iowa Administrative Code (IAC) chapter 44.

Application and filing instructions: The Initial Application for Certificate of Franchise Authority can be found on the IUC website, iuc.iowa.gov (Cable & Video Service and IUC Forms & Applications pages). The form is a fillable Word document[1] that can be saved to your computer. The application includes an affidavit, which must be notarized.

Filing electronically: The application must be filed into the IUC's electronic filing system (EFS) at efs.iowa.gov or via the IUC website. To file the completed application in EFS, download the application form to your computer and complete and save the form. Have the person signing the electronic version of the affidavit use "/s/" and type his or her name. The notary can use either "/s/" or "/s/ and sealed," followed by the notary's typed name. Print and sign a paper copy of the affidavit and have the notary affix the seal to the paper copy. Keep the notarized paper copy of the affidavit in your records. Prepare a cover letter explaining what the filing includes and file that letter as a separate document in your filing. EFS only accepts PDF and Excel file types. Upload the electronic version of the application, affidavit, and cover letter into EFS.
For more detailed instructions, or if you have questions on how to file, contact IT Support at (515) 725-7337 or by using the link on EFS. Documents filed via EFS are automatically served upon the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, so you do not need to provide OCA with a paper copy of the application.

Providers subject to municipal franchises: Pursuant to Iowa Code § 477A.2(6) and 199 IAC 44.5, only incumbent cable providers are allowed to opt out of existing municipal franchise agreements and apply for a certificate issued by the IUC. Other service providers cannot opt out of existing municipal franchises, but they may apply for a certificate issued by the IUC within 60 days prior to the expiration of a municipal franchise agreement. A certificate obtained pursuant to an application filed before an existing municipal franchise expires shall take effect upon the expiration date of the municipal franchise.

Notice from competitive service providers: Pursuant to 199 IAC 44.4(1), a competitive service provider must notify affected municipalities and incumbent cable providers of its intent to provide service. Service providers shall electronically file a copy of the notice with the IUC, following the electronic filing instructions outlined above, on the day the notice is sent to the

[1] For assistance using a Word fill-in form, refer to Word's help menu (F1 or Help on the menu bar). Unprotecting the form will result in disabling the fill-in functionality.

municipalities and incumbent cable provider(s). In the event a competitive provider sends the notice of intent to provide service before filing an application with the IUC, the competitive provider shall indicate in a cover letter and comments accompanying the filing that an application for a certificate of franchise authority is forthcoming. A copy of the notice sent to the municipalities and incumbent cable provider(s) must be included.

In addition to providing the notice of intent to provide service, an applicant must notify each affected municipality that the applicant has filed an application for a certificate of franchise authority with the IUC. (See 199 IAC 44.4(2).) All required notices must be sent by certified mail.
Instructions for filing a Notice of Service Area Revision, Transfer, Termination, or Renewal:
In the event a service provider revises its service area, transfers its certificate, ceases the operation of a cable or video service network, ceases the construction of a cable or video service network, or renews its certificate, the service provider shall complete the applicable form available on the IUC website and electronically file the appropriate form following the electronic filing instructions outlined above.