



*Dale R. Folwell, CPA*

May 24, 2018

VIA ELECTRONIC MAIL ONLY

Mr. Garth K. Dunklin, Chairman  
North Carolina Rules Review Commission  
Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, North Carolina 27699-6700  
[oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov)

RE: Request for Extension of Filing Deadline for the Periodic Review and Expiration  
of Existing Rules Report for 04 NCAC 16

Dear Mr. Dunklin:

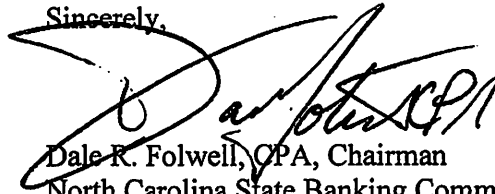
Pursuant to 26 NCAC 05.0204, the State Banking Commission (the "SBC") requests an extension of the filing deadline established by 26 NCAC 05 .0203(c) for submission of the above referenced Periodic Review and Expiration of Existing Rules Report (the "Report"). The current deadline is August 15, 2018. The SBC requests an extension of five business days to allow the SBC to consider any public comments on the Report at its regularly scheduled meeting on August 22, 2018. If the extension is granted, the new filing deadline will be August 22, 2018. The SBC remains committed to having the report presented and reviewed at the September 20, 2018 Rules Review Meeting.

The SBC has made substantial efforts to comply with the Periodic Review Process, and has taken the Process seriously. On April 10, 2018, staff filed the initial report for 04 NCAC 16, and initiated the public comment period. The public comment period for the 04 NCAC 16 rules will end on June 12, 2018, one day prior to the next regularly scheduled Commission meeting on June 13, 2018. While staff has not received any comments on the 04 NCAC 16 report at this time, staff and the SBC do not believe that less than one day is sufficient time to complete a thorough review of any comments submitted on or near the deadline. Accordingly, the SBC would like an opportunity to compile and review all public comments on the 04 NCAC 16 report at the SBC's next regularly scheduled meeting on August 22, 2018.

As Chair of the SBC, I respectfully request that the Commission take into consideration the efforts of the rulemaking staff to meet the deadlines for the readoption of rules contained in 04 NCAC 03, staff's commitment to the Periodic Review Process for 04 NCAC 16, and the fact

that the SBC will submit the report for review at the September 20, 2018 Rules Review Commission Meeting, in accordance with the original timeline.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale R. Folwell CPA". The signature is stylized with a large, sweeping initial "D" and a long, horizontal stroke extending to the right.

Dale R. Folwell, CPA, Chairman  
North Carolina State Banking Commission