

REQUEST FOR TECHNICAL CHANGE

AGENCY: Rural Electrification Authority

RULE CITATION: 04 NCAC 08 .0304

DEADLINE FOR RECEIPT: Thursday, October 8, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

In the Submission for Permanent Rule form, the date the notice of text was published was June 15, 2015. Please correct the date on the form.

Paragraph (a) is a restatement of Rule .0302 of the Section. You probably do not need to recite it again here. Instead, I recommend striking Paragraph (a), making this a single Paragraph rule.

You may wish to reference Rule .0302 in this Rule. Why not state, "A checklist for applications made pursuant to Rule .0302 of this Section Rural Utility Service..." ?

Please note, the Rule cannot become effective October 1, 2015, as that would be before the Commission can review and approve the Rule; please change the date to a later one.

The History Note is no longer correct. Please use this one in the rewritten Rule:

*History Note: Statutory Authority G.S. ~~117-2(11)~~; 117-32;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015;
Amended Eff. November 1, 2015.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: September 24, 2015

04 NCAC 08 .0304 is proposed for amendment as follows:

04 NCAC 08 .0304 DOCUMENTS REQUIRED FOR LOAN APPLICATIONS AND CATEGORIES

The list of documents required for a loan application by the North Carolina Rural Electrification Authority are as listed below:

<u>DOCUMENT</u>	<u>NCREA</u>
(1) Petition to State Authority	1
(2) Excerpts from last board meeting including board resolution	1
(3) Characteristic letter from Rural Electrification Administration	1
(4) Certified copy of sworn statement of president and secretary stating all information presented to be accurate	1
(5) Certificate of secretary (stating excerpts and resolution to be true)	1
(6) Narrative regarding the history of corporation, use to which loan funds will be used, and benefits derived	1
(7) Form 479, Financial and Statistical Report for Telephone Borrowers	1
(8) REA Form 490, Application for Telephone Loans from REA and/or Rural Telephone Bank	1
(9) REA Form 494, Supplemental Loan Proposal Summary	1
(10) REA Form 495, Construction Cost Estimate	1
(11) REA Form 569, Area Coverage Survey Report	1

(a) All TMCs shall petition the Authority to apply for any funds in the form of grants or loans issued from any agency of the United State Government for use in the State. The TMC shall send all loan documents to the Administrator three weeks prior to the Board meeting in accordance with Rule .0107 of this Chapter.

(b) A checklist for Rural Utility Service (RUS) loans and Rural Economic Development Loans and Grants (REDLG) may be found on the Authority's website.

*History Note: Statutory Authority G.S. 117-32
Eff. February 1, 1976.
Amended Effective October 1, 2015*