



SembraCare

December 13, 2017

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To the North Carolina Rules Review Commission:

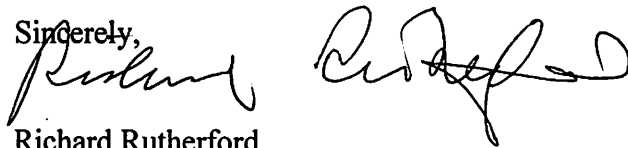
This is to request a waiver, pursuant to 26 NCAC 05.0112, of the five day written comment period set out in 26 NCAC 05.0103(a),

Your undersigned submitted his comments on Friday December 8 rather than on Thursday December 7, 2017, one day late, to rrcomments@oah.nc.gov. Your undersigned filed to submit the comments on time due to having prepared a draft email for doing so in a timely fashion, that he inadvertently omitted sending until the next day.

In support of this request, please consider the following:

- 1) The waiver may be necessary to consider the comments;
- 2) The Commission, via its counsel Ms. Hammond, and the agency proposing the rule were previously advised of the substance of the comments in writing prior to the expiration of the deadline;
- 3) The applicant has made no previous requests for a waiver;
- 4) The Assistant Attorney General, Ms. Burgon, has evidently had sufficient time to prepare a detailed response to the comments so there would appear to be no prejudice; and
- 5) The request for a waiver, and the comments themselves, are made in good faith and not for purposes of delay, but are made in the interests of fairness and justice.

Sincerely,



Richard Rutherford