



STATE OF NORTH CAROLINA  
**OFFICE OF ADMINISTRATIVE HEARINGS**

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October 23, 2012

Abigail Hammond  
Industrial Commission  
4336 Mail Service Center  
Raleigh, NC 27699-4336

Re: 04 NCAC 10I .0201, .0204

Dear Ms. Hammond:

At its October 18, 2012 meeting the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

The Commission objected to Rule .0201 due to lack of necessity. This rule repeats the contents of G.S. 130A-425(d) and is thus unnecessary.

The Commission objected to Rule .0204 due to lack of statutory authority. "In the interests of justice or to promote judicial economy" is not sufficient specific guideline for the agency to use in determining whether to waive or modify a requirement set by rule as required by G.S. 150B-19(6).

Please respond to this letter in accordance with the provisions of G.S. 150B-21.12. If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Robert A. Bryan, Jr.  
Commission Counsel

RAB:tdc

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