



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

December 19, 2013

Frances Liles, Administrator
NC Rural Electrification Authority
120 Penmarc Drive
Suite 104
Raleigh NC 27603

Re: Rules 04 NCAC 08 .0101, .0102, .0107, .0108, .0109, .0110, .0111, .0112, .0201, .0202, .0203, .0204, .0205, .0206, .0207, .0208, .0209, .0210, .0211, .0212, .0301, .0302, .0303, .0305, .0306, .0307, .0308, .0309, .0310, .0311, .0312, .0401 and .0404.

Dear Frances:

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

The Commission objected to these Rules based on ambiguity. The rules as written are unclear and do not clearly state the purposes or procedures contemplated in the Rules. In addition, the Commission objected to Rule 04 NCAC 08 .0210 for lack of statutory authority, as there does not appear to be any authority for the Rural Electrification Authority to investigate member complaints against Telephone Membership Corporations.

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,

Amanda J. Reeder
Commission Counsel

Administration
919/431-3000
fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

Judges and
Assistants
919/431-3000
fax: 919/431-3100

Clerk's Office
919/431-3000
fax: 919/431-3100

Rules Review
Commission
919/431-3000
fax: 919/431-3104

Civil Rights
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919/431-3036
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December 19, 2013

Charles P. Wilkins
NC Board of Occupational Therapy
PO Box 2280
Raleigh NC 27602

Re: Rules 21 NCAC 38 .0301 and .0802

Dear Charles:

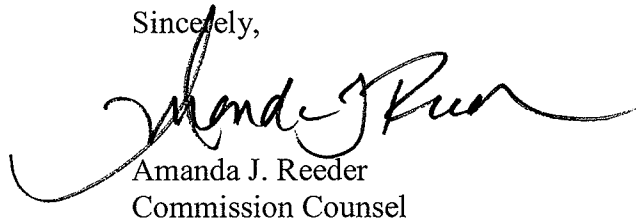
At its meeting today, the Rules Review Commission objected to the above-captioned rules in accordance with G.S. 150B-21.10.

The Commission objected to Rule 21 NCAC 38 .0301 based on ambiguity. As written, the Rule does not specify how a licensee may request an exemption, under what circumstance the Board will grant the request and how the Board will notify the licensee of its decision.

The Commission objected to Rule 21 NCAC 38 .0802 based upon a lack of statutory authority for the Board to require the \$50 fee proposed in Paragraph (f) in the Rule.

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,



Amanda J. Reeder
Commission Counsel

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