

**SECTION .0400 - PETITIONS: HEARINGS: TEMPORARY RULES: DECLARATORY RULINGS:  
CONTESTED CASES**

**04 NCAC 08 .0401            PETITIONS FOR RULE-MAKING HEARINGS**

- (a) Any person wishing to submit a petition requesting the adoption, amendment, or repeal of a rule by the Authority shall address the petition to: Administrator, North Carolina Rural Electrification Authority, 4321 Mail Service Center, Raleigh, North Carolina 27699-4321.
- (b) The petition shall contain the following information:
- (1) a draft of the proposed rule;
  - (2) effect on the existing rules and practices;
  - (3) the name(s) and address(es) of petitioner(s); and
  - (4) the date.
- (c) The Authority shall determine within 120 days of submission whether the public interest will be served by granting the request. The Authority will consider all the contents of the submitted petition, plus any additional information it deems relevant.
- (d) If the decision is to deny the petition, the Administrator shall notify the petitioner in writing, stating the reasons therefor. If the decision is to grant the petition, the Authority shall initiate a rule-making proceeding as required by G.S. 150B.
- (e) Upon a determination to hold a rule-making proceeding, either in response to a petition or otherwise, the Authority shall follow the procedures in G.S. 150B.

*History Note:    Authority G.S. 117-2(12); 150B-20;  
                      Eff. February 1, 1976;  
                      Amended Eff. March 1, 2014;  
                      Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.*