

#### **10A NCAC 17D .0220 RIGHTS/CONSUMER APPEALS**

Applicants whose application for telecommunications equipment has been denied by the TEDP may file an appeal using the following procedure for consumer appeals:

- (1) Ask any Division staff member for a TEDP Appeal of Decision to Deny Request for Telecommunications Equipment Form. This form may be obtained from any of the Division's regional resource centers throughout North Carolina or from the TEDP Administration Office of the Division in Raleigh;
- (2) This form must contain an explanation of the reasons for the appeal and must be submitted to the TEDP Coordinator within 30 days of the rejection letter;
- (3) The TEDP Coordinator shall review the appeal and render a decision within two weeks after receiving the formal appeal;
- (4) The Division shall notify the individual appealing the decision, in writing, within five working days of the TEDP Coordinator's decision;
- (5) Appeal of the TEDP Coordinator's decision may be made in writing to the Director of the Division within two weeks after notification of the TEDP Coordinator's decision;
- (6) The Director of the Division shall review the appeal and render a final decision within two weeks after notification of appeal to the Division Director;
- (7) The individual submitting the appeal may pursue further appeal by writing to the Director and requesting an Independent Hearing Officer (IHO);
- (8) The decision of the IHO may be appealed to the Department of Health and Human Services (DHHS); and
- (9) Appeal of a DHHS decision may be pursued through the Office of Administrative Hearings (OAH).

*History Note:* Authority G.S. 62-157; 143B-216.34;  
Eff. May 1, 2007;  
Amended Eff. May 1, 2008;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.