

ORIGINAL



0000081550

Emie:

57

Please docket the attached in docket # RS-00000A-07-0421. Thank you.

Cheryl

Arizona Corporation Commission  
DOCKETED  
FEB - 6 2008

DOCKETED BY me

RECEIVED  
2008 FEB - 6 A 10:35  
AZ CORP COMMISSION  
DOCKET CONTROL

AGENCY CERTIFICATE

NOTICE OF FINAL RULEMAKING

1. Agency name: Arizona Corporation Commission, Securities Division
2. Chapter heading: Chapter 4. Corporation Commission, Securities
3. Code citation for the Chapter: 14 A.A.C. 4
4. The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in numerical order:

<u>Subchapters, Articles, Parts, and Sections</u>	<u>Action</u>
Article 1, Section 14-4-116	Amend

5. The rule contained in this package is a true and correct version of the rule made by the agency.

6.  2-1-08  
Dean Miller Date  
Interim Executive Director  
Arizona Corporation Commission

7. Exempt from Governor's Regulatory Review Council: A.R.S. § 41-1057

**COMMISSIONERS**  
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WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
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BRIAN C. McNEIL  
EXECUTIVE DIRECTOR



MATTHEW J. NEUBERT  
DIRECTOR

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Phoenix, AZ 85007  
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**ARIZONA CORPORATION COMMISSION**

February 6, 2008

The Honorable Terry Goddard  
Attorney General  
1275 West Washington  
Phoenix, Arizona 85007

Re: A.A.C. R14-4-116

Dear Mr. Goddard:

The above-referenced rule was amended on January 31, 2008, by the Arizona Corporation Commission ("ACC"), subject to approval by the Attorney General.

The following information is provided for your use in reviewing the enclosed rule for approval pursuant to A.R.S. § 41-1044:

I. Agency Rules Not Published in Code

To my knowledge, all ACC rules are published in the Code.

II. Procedures Followed

The ACC's rulemaking process was as follows:

- (1) A Notice of Rulemaking Docket Opening was published in the Arizona Administrative Register in 13 A.A.R. 2687, August 3, 2007.
- (2) A Notice of Proposed Rulemaking was published in the Arizona Administrative Register in 13 A.A.R. 3431, October 12, 2007.
- (3) The Notice of Proposed Rulemaking provided notice of the public hearing (oral proceedings) for the rule. In addition, on November 21 and November 28, 2007, the ACC posted notice of the public hearing in compliance with Arizona open meeting laws.
- (4) No supplemental notices were made in this rulemaking proceeding.

- (5) Public participation pursuant to A.R.S. § 41-1023 was as follows:
  - (a) The ACC accepted written comments through December 3, 2007, the date of the public hearing.
  - (b) No request was made for an oral proceeding; however, the ACC scheduled an oral proceeding for the rules.
  - (c) A public hearing (oral proceeding) occurred on December 3, 2007.
- (6) The ACC closed the record on the rule at its January 31, 2008, open meeting.
- (7) The ACC amended the rule by unanimous vote during the January 31, 2008, open meeting. The signed order making the rule is dated January 31, 2008.
- (8) The ACC complied with the open meeting laws, where applicable.
- (9) The ACC's statutes do not specifically require any other procedures.

III. Supporting Documents

I have enclosed, for your information, the following documents:

- (1) Original and two copies of the Notice of Final Rulemaking, including the preamble and text of the amended rule.
- (2) Original and two copies of the ACC's Agency Certificate.
- (3) Original and two copies of the ACC's Agency Receipt.
- (4) Original form for the Attorney General's approval of the final rule.
- (5) One copy of the Notice of Rulemaking Docket Opening, as published.
- (6) One copy of the Notice of Proposed Rulemaking, as published.
- (7) One copy of the procedural order for the December 3, 2007, public hearing.
- (8) One copy of the transcript of the public hearing on the rule.
- (9) One copy of the ACC order making the rule subject to Attorney General's approval, to which the Economic, Small Business And Consumer Impact Statement is attached as Exhibit C.

Please let me know if you would like any additional copies of these items. We have included a disk containing the Notice of Final Rulemaking in rich text format for the secretary of state. My understanding is that you will forward the final rulemaking packet (including the disk) to the secretary of state.

Please let me know if I can be of any assistance to you in your review process. My direct line is 542-0643. You should also feel free to contact Cheryl Farson, General Counsel for the Division, at 542-0193. Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew Neubert", with a long horizontal line extending to the right.

Matthew Neubert  
Director of Securities

cc: Mike Gleason, Chairman (w/o encl.)  
William A. Mundell, Commissioner (w/o encl.)  
Jeffrey Hatch-Miller, Commissioner (w/o encl.)  
Kristin K. Mayes, Commissioner (w/o encl.)  
Gary Pierce, Commissioner (w/o encl.)  
Dean Miller, Interim Executive Director (w/o encl.)  
Cheryl Farson, General Counsel (w/o encl.)