

ORIGINAL

NEW APPLICATION



0000102333

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

In the matter of
MERRILL LYNCH, PIERCE, FENNER &
SMITH INCORPORATED,
Respondent.

DOCKET NO. S-03497A-09-0439

FILING TO OPEN DOCKET

The Securities Division of the Arizona Corporation Commission requests that a Docket be opened for the purpose of assigning a docket number to a proposed Order to Cease and Desist, Order for Administrative Penalties and Consent to Same by the above-referenced respondent.

Dated this 16th day of September 2009.

ARIZONA CORPORATION COMMISSION

By *Pamela T. Johnson*
Pamela T. Johnson
Attorney for the Securities Division of the
Arizona Corporation Commission

ORIGINAL AND THIRTEEN (13) COPIES of the foregoing
filed this 16th day of April, 2009 with

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

Arizona Corporation Commission
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