

ORIGINAL



0000180278

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED
AZ CORP COMMISSION
DOCKET CONTROL

2017 JUN -8 P 2:06

Arizona Corporation Commission

DOCKETED

JUN 08 2017

DOCKETED BY
GB

COMMISSIONERS

TOM FORESE – Chairman
BOB BURNS
DOUG LITTLE
ANDY TOBIN
BOYD W. DUNN

IN THE MATTER OF:

MICHAEL A. CROWE (CRD# 1057029) and
LEQUITA CROWE, husband and wife,

Respondents.

DOCKET NO. S-21012A-17-0140

PROCEDURAL ORDER
REGARDING CONSENT TO EMAIL
SERVICE

BY THE COMMISSION:

On May 15, 2017, the Securities Division (“Division”) of the Arizona Corporation Commission (“Commission”) filed a Notice of Opportunity for Hearing Regarding Proposed Order of Revocation, Order to Cease and Desist, Order for Restitution, Order for Administrative Penalties and Order for other Affirmative Action (“Notice”) against Michael A. Crowe and Lequita Crowe, husband and wife (“Respondents”), alleging that Respondents engaged in such acts, practices and transactions that constitute grounds for revocation under the Securities Act of Arizona, A.R.S. § 44-1801 *et seq.* (“Securities Act”) and the Arizona Investment Management Act, A.R.S. § 44-3101 *et seq.* (“IM Act”). Respondent Lequita Crowe was joined in the action solely for the purpose of determining the liability of the marital community pursuant to A.R.S. § 44-2031(C).

The Commission has created a process for parties to a docket to consent to receive service by email, rather than by U.S. Mail, for all filings made in the docket. This process requires a party to file a Consent to Email Service and send a verification email to the Hearing Division, after which the Hearing Division will issue a Procedural Order Granting Consent to Email Service.

Once a party’s Consent to Email Service is approved, the **party will receive all filings made by a Commissioner, the Commission’s Executive Director, or a Commission Division via an email containing a link to access the filing online.** These emails are automatically generated by the filing

1 of a document with Docket Control,¹ specifically by the document's being scanned into the
2 Commission's eDocket system. The party **may** also begin receiving service by email of other parties'
3 filings made in the docket, although whether or not to provide service by email is within each party's
4 discretion.

5 **The Commission appreciates when parties consent to email service and encourages parties**
6 **to do so.** Email service enables parties more promptly to receive service of filings made in a case by
7 a Commissioner, the Commission's Executive Director, or a Commission Division and reduces both
8 the amount of paper the Commission consumes and the Commission's postal expenses.

9 To allow outside parties to enjoy similar benefits, the **Commission has determined that the**
10 **Securities Division shall automatically be deemed to have consented** to email service in any case in
11 which it is a party.² In addition, the **Commission requests that parties cease providing courtesy**
12 **copies** of their filings to the Hearing Division.

13 **Parties who do not consent to email service will not be provided documents filed by a**
14 **Commissioner, the Commission's Executive Director, or a Commission Division via email** and
15 will instead continue to receive all of these documents in hard copy via the U.S. Mail. Parties who do
16 not opt in to email service also may not receive hard copies of some documents filed by a Commissioner
17 or the Commission's Executive Director, such as Amendments to Open Meeting Agenda items.

18 **This Procedural Order is issued to notify parties of the process to Consent to Email**
19 **Service and the requirements related thereto.**

20 IT IS THEREFORE ORDERED that, as permitted under A.A.C. R14-3-107(B), **each party to**
21 **this matter may opt to receive service** of all filings in this docket, including all filings by parties, all
22 Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
23 Commission's Hearing Division, and all filings made by a Commissioner or the Commission's
24 Executive Director, **via email** sent to an email address provided by the party rather than via U.S. Mail.

25 **To exercise the email service option, a party shall:**

26 _____
27 ¹ There may be a brief delay in email service when a voluminous filing is made, due to the time necessary to scan the
filing into eDocket.

28 ² In cases that do not involve the Commission's Securities Division, the Commission's Legal Division shall be included
as counsel for the Commission Division involved in the case.

- 1 1. Ensure that the party has a valid and active email address to which the party has regular
2 and reliable access (“designated email address”);
- 3 2. Complete a Consent to Email Service using the form available on the Commission’s
4 website (www.azcc.gov) or a substantially similar format;
- 5 3. **File** the original and 13 copies of the **Consent to Email Service** with the Commission’s
6 Docket Control, also providing service to each party to the service list;
- 7 4. **Send an email**, containing the party’s name and the docket number for this matter, to
8 HearingDivisionServicebyEmail@azcc.gov from the designated email address, to allow
9 the Hearing Division to verify the validity of the designated email address;
- 10 5. Understand and agree that service of a filing on the party shall be complete upon the
11 first of the following to occur: (1) the sending, to the designated email address, of an
12 email containing an electronic copy of the filing or a link to access the filing online; or
13 (2) for a filing made by a Commissioner, the Commission’s Executive Director, or a
14 Commission Division, the making of the filing with a service certification including
15 coding indicating that an automatic service email for the filing shall be sent to each party
16 whose consent to email service has been approved;
- 17 6. Understand and agree that the party may provide additional email addresses on the
18 Consent to Email Service for individuals to whom the party desires to have service
19 emails sent as a courtesy, but that these courtesy email addresses are not the designated
20 email address and will not be verified; and
- 21 7. Understand and agree that the party will no longer receive service of filings in this
22 matter through First Class U.S. Mail or any other form of hard-copy delivery, unless
23 and until the party withdraws this consent through a filing made in this docket.

24 IT IS FURTHER ORDERED that **a party’s Consent to Email Service shall not become**
25 **effective until a Procedural Order is issued approving the Consent to Email Service** for the party.
26 The Procedural Order shall be issued only after the party has completed steps 1 through 4 above, and
27 the Hearing Division has verified receipt of an email from the party’s designated email address.
28

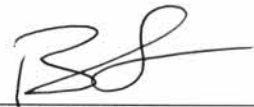
1 IT IS FURTHER ORDERED that the Commission's [Utilities/Securities/Safety] Division is
2 **deemed to have consented to email service for this docket using the following email address/es:**
3 SecDivServicebyEmail@azcc.gov.

4 IT IS FURTHER ORDERED that **if the Securities Division desires for courtesy emails** to be
5 sent to additional email addresses, the Securities Division **shall make a filing** listing those email
6 addresses.

7 IT IS FURTHER ORDERED that a party's Consent to Service by Email in this docket does not
8 change the requirement that **documents must be filed with the Commission's Docket Control in**
9 **hard copy with an original and the requisite number of copies.**

10 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or
11 waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
12 hearing.

13 DATED this 8 day of June, 2017.

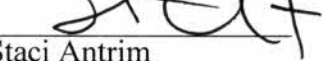
14 
15 _____
16 BRIAN D. SCHNEIDER
17 ADMINISTRATIVE LAW JUDGE
18
19
20
21
22
23
24
25
26
27
28

1 On this 8th day of June, 2017, the foregoing document was filed with Docket Control as a Procedural
2 Order Regarding Consent to Email Service, and copies of the foregoing were mailed on behalf of the
3 Hearing Division to the following who have not consented to email service. On this date or as soon as
possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing
to the following who have consented to email service.

4 Michael A. Crowe and Lequita Crowe
5 1533 East Grandview Street
6 Mesa, AZ 85203

7 Matt Neubert, Director
8 Securities Division
9 ARIZONA CORPORATION COMMISSION
10 1200 West Washington Street
11 Phoenix, Arizona 85007
12 SecDivServicebyEmail@azcc.gov
13 **Consented to Service by Email**

14 COASH & COASH, INC.
15 Court Reporting, Video and
16 Videoconferencing
17 1802 North 7th Street
18 Phoenix, AZ 85006
19 **Not a party, mailed as a courtesy**

20
21
22
23
24
25
26
27
28
By: 
Staci Antrim
Assistant to Brian D. Schneider