

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ADMINISTRATION PERSONNEL ADMINISTRATION

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 74.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 21, 2009.*

[R09-151]

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 5, Department of Administration – Personnel Administration  
**Article and its heading:** 3, Classification and Compensation  
**Section number:** R2-5-306 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**  
A new Section will be added in order to allow the Director of the Arizona Department of Administration to establish policies and guidelines to reduce employee pay due to budget reductions.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 16 A.A.R. 32, January 8, 2010 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Christine Bronson, Employee Relations Manager  
Address: ADOA Human Resources  
100 N. 15th Ave., Suite 261  
Phoenix, AZ 85007  
Telephone: (602) 542-1423  
Fax: (602) 542-1980  
E-mail: Christine.Bronson@azdoa.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments during regular business hours at contact information provided in item 4 until close of record. An oral proceeding regarding the proposed rules will be held as follows:  
Date: February 9, 2010  
Time: 2:00 p.m.  
Location: Department of Administration  
100 N. 15th Ave., Room 204  
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Notice of Proposed Rulemaking: 16 A.A.R. 32, January 8, 2010 (*in this issue*)

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

CHILD CARE FACILITIES

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 74.) The Governor's Office authorized the notice to proceed through the rulemaking process on December 2, 2009.

[M09-143]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 5, Department of Health Services – Child Care Facilities  
**Articles and headings:** 1, General; 2, Facility Licensure; 3, Facility Administration; 4, Facility Staff; 5, Facility Program and Equipment; 6, Physical Plant of a Facility  
**Section numbers:** R9-5-101, R9-5-102, R9-5-201, R9-5-202, Table 1, R9-5-203 through R9-5-209, R9-5-301 through R9-5-310, R9-5-401 through R9-5-404, R9-5-501 through R9-5-518, Table 1, and R9-5-601 through R9-5-607 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rules:**  
The purpose of this rulemaking is to update and amend the licensing requirements for Child Care Facilities licensed under A.R.S. Title 36, Chapter 7.1, Article 1. A.R.S. § 36-883 requires the Arizona Department of Health Services (Department) to adopt reasonable rules necessary to ensure the health, safety, and well-being of children being cared for in a child care facility. The Department has implemented A.R.S. § 36-883 by promulgating *Arizona Administrative Code* Title 9, Chapter 5, Articles 1 through 6 which contains definitions and licensing requirements for Child Care Facilities.

The Department is deleting unnecessary and obsolete provisions and reorganizing the Child Care Facilities licensing rules to make the rules more clear, concise, and understandable.

Changes will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State.

**The agency docket number:**

RE-005-09

- 3. A citation to all published notices relating to the proceeding:**

None

- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Lourdes B. Ochoa, Program Manager  
Address: Department of Health Services, Division of Licensing Services  
Office of Child Care Licensing  
150 N. 18th Ave., Suite 400  
Phoenix, AZ 85007  
Telephone: (602) 364-2539  
Fax: (602) 364-4768  
E-mail: ochoal@azdhs.gov

or

Name: Thomas Salow, Acting Manager  
Address: Department of Health Services, Office of Administrative Rules and Counsel  
1740 W. Adams St., Suite 200  
Phoenix, AZ 85007  
Telephone: (602) 364-1935  
Fax: (602) 364-1150  
E-mail: salowt@azdhs.gov

- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the addresses listed in item 4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

- 6. A timetable for agency decisions or other action on the proceeding, if known:**

None

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION

FIXED UTILITIES

Editor's Note: The following Notice of Rulemaking Docket Opening is exempt from Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 on page 74.)

[R09-139]

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation  
**Chapter and its heading:** 2, Corporation Commission – Fixed Utilities  
**Article and its heading:** 7, Resource Planning and Procurement  
**Section numbers:** R14-2-701, R14-2-702, R14-2-703, R14-2-704, R14-2-705, R14-2-706

**2. The subject matter of the proposed rule:**  
The purpose of Resource Planning is for load-serving entities to meet the electric needs of their customers by choosing the best mix of resources, with input from stakeholders in a transparent process, with consideration of reliability, deliverability, cost, environmental impacts, risk, other utilities' plans, and public policy. In its planning process and in meeting its load obligations, a load-serving entity shall consider all available options.

The Arizona Corporation Commission ("Commission") adopted the existing Resource Planning rules in 1989. In 2007, the Commission issued Decision No. 67744 which ordered Commission staff to schedule workshops on resource planning issues to focus on developing needed infrastructure and developing a flexible, timely, and fair competitive procurement process. If necessary, the workshops would be followed with rulemaking to amend existing rules.

The proposed rulemaking would update the existing Resource Planning rules and add sections on Procurement and on Independent Monitor Selection and Responsibilities.

**The agency docket number, if applicable:**

RE-00000A-09-0249

**3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 16 A.A.R. 34, January 8, 2009 (in this issue)

**4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Maureen A. Scott, Esq.  
Attorney, Legal Division, Corporation Commission

Address: 1200 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: mscott@azcc.gov

or

Name: Barbara Keene  
Public Utilities Analyst, Corporation Commission

Address: 1200 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 542-0853

Fax: (602) 364-2270

E-mail: bkeene@azcc.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Public comment will be held on March 4, 2010, beginning at 10:00 a.m. or as soon as practicable thereafter, in Hearing Room 1 at the Commission's Phoenix offices of the Arizona Corporation Commission located at 1200 W. Washington St., Phoenix, AZ 85007. Hearing Division requests initial written comments be received on or before February 16, 2010, and responsive comments be received on or before February 23, 2010. Comments should be submitted to Docket Control at the above address. Please reference docket number RE-00000A-09-0249 on all documents.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Commission will likely bring this to Open Meeting for final approval in June 2010.

Notice of Proposed Rulemaking: 16 A.A.R. 34, January 8, 2009 (in this issue)