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**NOTICES OF RULEMAKING DOCKET OPENING**

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This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

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**NOTICE OF RULEMAKING DOCKET OPENING****DEPARTMENT OF HEALTH SERVICES  
MEDICAL MARIJUANA PROGRAM**

[R16-33]

- 1. Title and its heading:** 9, Health Services
- Chapter and its heading:** 17, Department of Health Services - Medical Marijuana Program
- Articles and their headings:** 1, General  
2, Qualifying Patients and Designated Caregivers  
3, Dispensaries and Dispensary Agents
- Section numbers:** R9-17-101 through R9-17-107, Table 1.1, R9-17-108, R9-17-109, R9-17-201 through R9-17-205, and R9-17-301 through R9-17-323  
(*The Department may add, delete, or modify other Sections, as necessary.*)

**2. The subject matter of the proposed rules:**

On July 29, 2013, the Arizona Superior Court issued an order (CV 2013-005901) directing the Department to establish by rule a process by which the Department may consider the reasons why a dispensary had not obtained an approval to operate within a year after being allocated a dispensary registration certificate and criteria by which to decide whether a dispensary registration certificate should be renewed despite the dispensary not receiving an approval to operate. The Department was amending the rules in 9 A.A.C. 17, under an exception to Executive Order 2012-03, to comply with the court order and to make other necessary changes when the rulemaking moratorium established by Executive Order 2015-01 began. After receiving an exception to the rulemaking moratorium established by Executive Order 2015-01, the Department is continuing the rulemaking process. In addition to making changes to comply with the court order, the Department anticipates making changes to the rules in 9 A.A.C. 17 that may reduce the regulatory burden by improving processes, increasing public safety, and enhancing clarity and consistency. The Department expects the changes to reduce the possibility of wasteful or fraudulent activities perpetrated against the Department. The proposed amendments will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, as necessary.

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

Notice of Rulemaking Docket Opening: 20 A.A.R. 286, February 7, 2014

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

Name: Colby Bower, Assistant Director  
Address: Department of Health Services  
Public Health Licensing Services  
150 N. 18th Ave., Suite 510  
Phoenix, AZ 85007

Telephone: (602) 542-6383

Fax: (602) 364-4808

E-mail: Colby.Bower@azdhs.gov  
or

Name: Robert Lane, Manager  
Address: Department of Health Services



Office of Administrative Counsel and Rules  
1740 W. Adams St., Suite 203  
Phoenix, AZ 85007

Telephone: (602) 542-1020  
Fax: (602) 364-1150  
E-mail: Robert.Lane@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:**

To be announced in the Notice of Proposed Rulemaking

## NOTICE OF RULEMAKING DOCKET OPENING

### CORPORATION COMMISSION FIXED UTILITIES

[R16-34]

- 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:** 8, Public Utility Holding Companies and Affiliated Interests
- Section numbers:** R14-2-802

**2. The subject matter of the proposed rule:**

The purpose of the proposed rule change would be to amend R14-2-802(A) to exempt telecommunications carriers, whose retail telecommunications services have all been determined to be competitive, from application of the Affiliated Interest Rules, except as may otherwise be determined by a future Arizona Corporation Commission order. The specific change proposed is based upon and supported by the changes to A.R.S. § 40-285 made by the Arizona Legislature in 2013.

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

Docket No. AU-00000A-15-0246

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

Notice of Proposed Rulemaking: 22 A.A.R. 411, March 4, 2016 (*in this issue*).

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

Name: Maureen Scott, Senior Staff Counsel, Legal Division  
Address: Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 542-3402  
Fax: (602) 542-4870  
E-mail: mscott@azcc.gov

Name: Robin Mitchell, Staff Attorney, Legal Division  
Address: Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 542-3402  
Fax: (602) 542-4870  
E-mail: RMitchell@azcc.gov

Name: Matthew Connolly, Executive Consultant, Utilities Division  
Address: Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 542-0856  
Fax: (602) 364-2270  
E-mail: MConnolly@azcc.gov



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

The Commission has scheduled the following oral proceeding for public comments:

Date: April 14, 2016

Time: 10:00 a.m.

Location: Arizona Corporation Commission  
Hearing Room 1  
1200 W. Washington St.  
Phoenix, AZ 85007

Nature: Oral proceeding

The Commission requests that initial written comments be filed by April 4, 2016, and that responsive written comments be filed by April 14, 2016. The comments may be filed with the Commission's Docket Control at the address listed above. Please reference Docket No. AU-00000A-15-0246 on all documents. Oral comments may be provided at the proceeding on April 14, 2016, at 10:00 a.m., as noted above.

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

A timetable has not been determined.