

**DOCKETED**

<b>Docket Number:</b>	23-BUSMTG-01
<b>Project Title:</b>	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
<b>TN #:</b>	249027
<b>Document Title:</b>	Steve Uhler Comments - BUSMTG-2023-01 Rulemaking petition to repeal 20 CCR 1201(f) and amend 1208(a)
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Steve Uhler
<b>Submitter Role:</b>	Other Interested Person
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*Comment Received From: Steve Uhler  
Submitted On: 3/1/2023  
Docket Number: 23-BUSMTG-01*

**BUSMTG-2023-01 Rulemaking petition to repeal 20 CCR 1201(f) and amend 1208(a)**

BUSMTG-2023-01 Rulemaking petition to repeal 20 CCR 1201(f) and amend 1208(a)

Docket Unit please distribute this petition to the Executive Director.

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*Additional submitted attachment is included below.*

BUSMTG-2023-01 Rulemaking petition to repeal 20 CCR 1201(f) and amend 1208(a)

Docket Unit please distribute this petition to the Executive Director.

Chief Counsel Office receives, distributes, and stores documents for proceedings forgoing the use of the Docket Unit notwithstanding 20 CCR 1201(f) and 1208(a). Chief Counsel Office in storing these documents has chosen to forgo submitting some documents, prior to the year 2023, to the Docket Unit, such as agendas, and meeting minutes.

Section 1201(f) Definitions, under the doctrine expressio unius exclusion alterius est, these activities are limited to the Docket Unit.

Section 1208(a) Filing of Documents, under the doctrine expressio unius exclusion alterius est, these activities are limited to the Docket Unit.

If the legislative body did not wish to limit these activities to the Docket Unit, they would not have adopted regulations expressly naming only the Docket Unit and no other for these activities.

Current regulations:

Section 1201(f) Definitions.

(f) "Docket Unit" means the office of the commission that receives, distributes, serves and stores all filed documents.

Section 1208(a) Filing of Documents.

(a) All documents submitted in any proceeding, whether by a party, committee, the commission, or any other individual or entity, shall be filed with the Docket Unit. Filing is complete when a document has been accepted by dockets staff or by the commission's automated electronic filing or commenting system. Documents that are not filed will not be deemed part of a proceeding's record.

Proposed regulations:

Repeal Section 1201(f) Definitions.

~~(f) "Docket Unit" means the office of the commission that receives, distributes, serves and stores all filed documents.~~

Authority cited: Sections 25213, 25218(e) and 25541.5, Public Resources Code. Reference: Sections 21061.1, 25214, 25502, 25519, 25540, 25540.1, 25540.2 and 25541.5, Public Resources Code.

Amend Section 1208(a) Filing of Documents.

(a) All documents submitted in any proceeding, whether by a party, committee, the commission, or any other individual or entity, shall be filed with the Docket Unit. Filing is complete when a document has been accepted by docket staff or by the commission's automated electronic filing or commenting system. Documents that are not filed, or submitted to the Chief Counsel Office, will not be deemed part of a proceeding's record.

Authority cited: Sections 25216.5(a) and 25218(e), Public Resources Code. Reference: Sections 25210 and 25223, Public Resources Code; Section 11020, Government Code; and Section 10, Code of Civil Procedure.

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