

(vi) A statement that:

(A) Sales will only be made to accredited investors;

(B) No money or other consideration is being solicited or will be accepted by way of this general announcement; and

(C) The securities have not been registered with or approved by any state securities agency or the U.S. Securities and Exchange Commission and are being offered and sold pursuant to an exemption from registration.

(7) The issuer, in connection with an offer, may provide information in addition to the general announcement under subsection (6), if such information:

(a) Is delivered through an electronic database that is restricted to persons who have been prequalified as accredited investors; or

(b) Is delivered after the issuer reasonably believes that the prospective purchaser is an accredited investor.

(8) No telephone solicitation shall be permitted unless prior to placing the call, the issuer reasonably believes that the prospective purchaser to be solicited is an accredited investor.

(9) Dissemination of the general announcement of the proposed offering to persons who are not accredited investors shall not disqualify the issuer from claiming the exemption under this rule.

(10) The issuer shall file with the administrator a notice of transaction, a consent to service of process, a copy of the general announcement, and a fee of three hundred dollars within fifteen days after the first sale in this state.

[Statutory Authority: RCW 21.20.450 and 21.20.320(17). 97-16-121, § 460-44A-300, filed 8/6/97, effective 9/6/97.]

### Chapter 460-65A WAC

#### REGULATIONS ON PROCEDURES RELATED TO THE ENTRY OF ORDERS

##### WAC

460-65A-010 through 460-65A-125 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 460-65A-010 Grounds for issuance of stop order pursuant to RCW 21.20.200. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-010, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-020 Grounds for issuance of cease and desist orders pursuant to RCW 21.20.390. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-020, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-030 Grounds for denial, suspension and revocation of exemption. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-030, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-040 Grounds for denial, condition or revocation exemption pursuant to RCW 21.20.325. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-040, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.

- 460-65A-100 Summary procedure. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-100, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-105 Summary order—Hearing. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-105, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-110 Summary hearing—Appearance before the director. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-110, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-115 Requests for hearing on summary order time limits. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-115, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.
- 460-65A-125 Nonsummary procedure. [Statutory Authority: RCW 21.20.450, 21.20.200, 21.20.390 and 21.20.325. 83-03-024 (Order SDO-6-83), § 460-65A-125, filed 1/13/83.] Repealed by 98-01-072, filed 12/12/97, effective 1/12/98. Statutory Authority: RCW 21.20.450.

**WAC 460-65A-010 through 460-65A-125 Repealed.**  
See Disposition Table at beginning of this chapter.

## Title 461 WAC

### SHORELINES HEARINGS BOARD

#### Chapters

**461-08 Practice and procedure—Review of the granting, denying or rescinding of substantial development permits—Hearings.**

#### Chapter 461-08 WAC

#### PRACTICE AND PROCEDURE—REVIEW OF THE GRANTING, DENYING OR RESCINDING OF SUBSTANTIAL DEVELOPMENT PERMITS—HEARINGS

##### WAC

- 461-08-310 Computation of time.
- 461-08-560 Deadline for the board to issue final decision on petitions for review of permitting decisions. Waivers and extensions of deadline.
- 461-08-570 Time for filing petitions for review to superior court.

**WAC 461-08-310 Computation of time.** (1) In computing any period of time prescribed or allowed by these rules or applicable statute, the day of the act after which the designated period of time begins to run is not to be included. The time within which any act shall be done, as provided by these rules, shall be computed by excluding the first day and

including the last, unless the last day is a Saturday, Sunday or a legal holiday, and then it is excluded and the next succeeding day which is neither a Saturday, Sunday nor a legal holiday is included. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

(2) This section also pertains to the period for filing with the board any petition for review, petition for rule making, petition for declaratory ruling or any other adjudication which this chapter authorizes.

[Statutory Authority: RCW 90.58.175 and SHB 1314. 97-19-063, § 461-08-310, filed 9/15/97, effective 10/16/97. Statutory Authority: RCW 90.58.175 and Den Beste v. Washington, No. 13967-1-III (Div. III, April 18, 1996). 96-17-017, § 461-08-310, filed 8/12/96, effective 9/12/96.]

**WAC 461-08-560 Deadline for the board to issue final decision on petitions for review of permitting decisions. Waivers and extensions of deadline.** (1) The board shall, pursuant to RCW 90.58.180, issue a final decision on petitions for review arising out of the granting, denying or rescinding of a permit within one hundred eighty days of the following:

(a) The date the petition for review is filed; or

(b) The date a motion to intervene is filed by the department or the attorney general, whichever is later.

(2) The parties may agree to waive the one hundred eighty-day deadline.

(3) The board may, on its own motion, extend the deadline for thirty days after determining that good cause exists for the extension.

[Statutory Authority: RCW 90.58.175 and SHB 1314. 97-19-063, § 461-08-560, filed 9/15/97, effective 10/16/97. Statutory Authority: RCW 90.58.175. 96-15-002, § 461-08-560, filed 7/3/96 effective 8/3/96.]

**WAC 461-08-570 Time for filing petitions for review to superior court.** An appeal of a final board order is called a petition for review. A petition for review must be filed with superior court within thirty days of the date that the board issues its final order or decision. The petitioner shall file a copy of the petition for review to superior court with the board and all parties of record. All appeals must first be filed in superior court even if direct review to the court of appeals will be sought.

[Statutory Authority: RCW 90.58.175 and SHB 1314. 97-19-063, § 461-08-570, filed 9/15/97, effective 10/16/97. Statutory Authority: RCW 90.58.175. 96-15-002, § 461-08-570, filed 7/3/96 effective 8/3/96.]

## Title 463 WAC

# ENERGY FACILITY SITE EVALUATION COUNCIL

(Formerly: Thermal Power Plant Evaluation Council)

### Chapters

- 463-06** General—Organization—Public records.
- 463-10** Definitions.
- 463-14** Policy and interpretation.
- 463-18** Procedure—Regular and special council meetings.
- 463-30** Procedure—Adjudicative proceedings.
- 463-47** SEPA rules.

### Chapter 463-06 WAC

#### GENERAL—ORGANIZATION—PUBLIC RECORDS

#### WAC

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| 463-06-010 | Organization of this title.    |
| 463-06-020 | Description of organization.   |
| 463-06-030 | Council office—Business hours. |

**WAC 463-06-010 Organization of this title.** This title (Title 463 WAC) contains the regulations by which the energy facility site evaluation council (hereafter, the council) functions under state and federal law.

Chapter 463-06 WAC contains general informational provisions relating to agency operation and public records handling which are required by the state Administrative Procedure Act and state laws relating to public records.

Chapter 463-10 WAC contains definitions of terms used throughout this title.

Chapter 463-14 WAC sets forth a number of significant policy and interpretive provisions relating to the scope and application of chapter 80.50 RCW and these rules.

Chapter 463-18 WAC deals with procedures for the conduct of business at regular and special council meetings.

Chapter 463-22 WAC sets forth procedures to be followed when a request for a potential site study is submitted under RCW 80.50.175.

Chapter 463-26 WAC sets forth procedures governing the public hearings referred to in RCW 80.50.090 (1), (2), and (4).

Chapter 463-28 WAC sets forth the council's procedures in determining whether to recommend that the state preempt local land use plans or zoning ordinances for a site.

Chapter 463-30 WAC contains procedural provisions governing adjudicative proceedings held pursuant to RCW 80.50.090(3).

Chapter 463-34 WAC outlines procedures for rule making and for obtaining declaratory orders from the council.

Chapter 463-36 WAC sets forth the council's procedures in amending or terminating a site certification agreement.