**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**658 MAINE FUEL BOARD**

**Chapter 2 ADVISORY RULINGS**

**Summary**: This Chapter sets forth procedures for the issuance of advisory rulings.

**2.1** **Authority and Scope**

The Board may issue an advisory ruling in accordance with 5 M.R.S. § 9001 concerning the applicability of a statute or rule to existing facts. The Board shall review each request for an advisory ruling to determine whether the requested ruling is appropriate. The Board may, at its discretion, decline to issue an advisory ruling if the question is hypothetical, if there is insufficient information upon which to base a ruling, or for any other reason the Board deems proper.

**2.2 Submission**

A request for an advisory ruling must be submitted to the Board in writing and must set forth in detail all facts pertinent to the question. The Board may require submission of additional information it deems necessary to provide a complete factual background.

**2.3 Ruling**

The Board shall issue advisory rulings in writing. The advisory ruling must include a statement of facts or assumptions, or both, upon which the ruling is based. The statement, without reference to other documents, must be sufficiently detailed to apprise the reader of the basis of the opinion. The ruling must be signed by the Board chair, must be identified specifically as an advisory ruling and must be numbered serially.

**2.4 Publication**

The Board shall mail the advisory ruling to the requesting party and the Board administrator shall retain a copy. An advisory ruling is a public document and is available for public inspection during the normal working hours of the Board. In addition, the Board may otherwise publish or circulate an advisory ruling as it deems appropriate.

STATUTORY AUTHORITY: 5 M.R.S. §§ 8051, 9001(4)

EFFECTIVE DATE:

September 27, 2014 – filing 2014-235

REPEALED AND REPLACED:

September 16, 2023 – filing 2023-158