

**§ 110.9**

(3) If the Presiding Officer of the Administrator receives an *ex parte* communication in violation of this paragraph (n), the individual who receives the communication shall place in the public record of the proceeding:

- (i) Any such written communication;
- (ii) Memoranda stating the substance of such oral communication; and
- (iii) Any written response, and memoranda stating the substance of any oral response to the *ex parte* communication.

(4) For purposes of this section *ex parte communication* means an oral or written communication not on the public record with respect to which reason-

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able prior notice to all parties is not given, but it shall not include requests for status reports on any matter or the proceeding.

**§ 110.9 Miscellaneous.**

In accordance with Section 3507 of the Paperwork Reduction Act of 1980 (44 U.S.C. 3507), the recordkeeping provisions in this rule have been approved by the Office of Management and Budget (OMB) and there are no new requirements. The assigned OMB control number is 0581-AA39.

**PARTS 111-159 [RESERVED]**