

Agenda item 2. Management Committee request to review ACLI's comment letter regarding the Operating Procedure for the Intermediate Review of the Application of Uniform Standards or Operating Procedures During the Review of a Product Filing Submission ("Interim Review OP") recommended by the Rulemaking Committee.

In advance of today's call, the leadership of the Rulemaking Committee and Compact staff met to talk through the items raised in ACLI's letter of 05-26-2026 and draft proposed Rulemaking Committee responses to the issues raised. A chart of the seven items raised was created for the consideration of the entire Rulemaking Committee during today's call.

Agenda item 3. Review and finalize a draft response to the ACLI comments, including suggested changes, if any, to the *Interim Review OP*.

Compact staff read through the items summarized by the chart. Opportunity for comment was provided after each item. Only one item received comments:

ACLI item:

It is unclear whether the Requestor has the option to forgo this step if it is satisfied with the Report. As drafted, this provision could extend an "Agreed Written Extension" to 75 days or more, even where the Requestor may prefer to proceed with the filing. The procedure should expressly permit the Requestor to withdraw its Request for Intermediate Review at any time. There may be valid business or strategic reasons for doing so, and it would be reasonable to allow withdrawal even if the associated fee is forfeited.

proposed Rulemaking committee response:

As with any appeal, a Requestor may withdraw the request at any procedural step prior to the Report being final. The Committee would recommend an amendment in the pending *Interim Review OP* to add new section: **§103(o) The Requestor may withdraw its request for RIR at any time prior to the date the Report is final in accordance with §103 (m). In such event, the Review Board retains the discretion to refer the issue, that is subject to the RIR, to the Management Committee for rulemaking or other action as applicable.**

South Dakota draft language for §103(o) added to the chat:

The Requestor may withdraw the request for Intermediate Review at any procedural step prior to the issuance of the Final Report under Section [citation]. Withdrawal requests shall be promptly approved by the Member Review Board. Any withdrawal requests after

the issuance of a Draft Report under Section 103(i) will result in the Draft Report being posted with company and filing information redacted to the greatest extent possible. All information regarding a withdrawn request for Intermediate Review other than the redacted Draft Report, if applicable, shall be confidential work product of the Commission and may not be disclosed unless ordered otherwise by a majority vote of the Commission or by a court that has jurisdiction over the Commission.

In addition to the draft language proposed by South Dakota, comments from committee members included a suggestion to revise further to defer to the Review Board regarding whether a summary of findings and conclusions OR a full report (redacted) would be published.

Agenda item 4. Next steps.

- Compact staff will revise the proposed §103(o) of the Interim Review OP based on today's committee discussion. Also, Compact staff will incorporate additional explanatory information into the proposed Rulemaking Committee responses in the chart. The revised materials will be shared in advance of the upcoming Rulemaking Committee public call.
- The Rulemaking Committee will have a public call on 07-27-2026 to expose the Rulemaking Committee's response to the items in the ACLI letter and the one proposed change, adding §103(o) to the Interim Review OP.
- Revised Interim Review OP will go to the Management Committee for consideration.