

This section discusses the standardized filing procedures for most applications requiring action by the Office of Thrift Supervision (OTS). The review and processing of a majority of applications has been delegated to the Regional Offices. However, certain types of applications contain unique or novel issues, or present issues of law or policy, and must be concurrently processed with OTS-Washington. Please refer to Delegation Section 040 of the handbook for a listing of applications that will be processed concurrently by the Regional and Washington offices.

This section does not apply to applications or requests related to transactions pursuant to Sections 13 (c) or (k) of the Federal Deposit Insurance Act, 12 U.S.C. 1823(c), (k), or requests submitted in connection with cease and desist orders, temporary cease and desist orders, removal and/or prohibition orders, temporary suspension orders, supervisory agreements or directives, consent merger agreements, or documents negotiated in settlement of litigation (including requests for termination or modification of, or for approval pursuant to, such orders, agreements, or documents), or similar litigation or enforcement matters. Requests for reconsideration, modification, or appeal of final agency actions are also not covered by this section.

### **How to file Applications and Notices**

#### *Delegated Applications*

The original and the number of copies indicated on the application form or notice should be filed with the appropriate Regional office. If the form does not indicate the number of copies to be filed, or OTS does not have a prescribed form for the application, the original and two copies must be filed. All copies should be clearly captioned as to the type of filing, and should contain all exhibits and other pertinent documents. The appropriate filing fee must accompany each submission in order for it to be accepted. An application is not considered filed until OTS receives the appropriate number of copies and fee. Any filing received after the close of business established by a Regional office will be considered received on the next business day.

The following are common types of applications that require submission of more than three copies:

- Merger or branch purchase applications filed pursuant to 12 C.F.R. § 563.22, or notices filed pursuant to 12 C.F.R. § 574.3(b) involving a merger (including a merger involving an interim institution), or applications filed on Form H-(e)3 require four additional copies of the application. The copies will be distributed to other agencies for review and comment.
- Any acquiror filing a notice pursuant to 12 C.F.R. § 574.3(b) must file three additional copies of the notice, which will be distributed to other agencies for review and comment. If the acquisition involves a state-chartered institution, the acquiror must also file one additional copy of the notice with OTS, which will be provided to the state supervisor.
- In the case of an application filed on Form H-(e)2, the applicant must file one additional copy of the application with OTS for the Department of Justice.

You may contact the Applications Manager at the appropriate Regional office to obtain application forms, notice forms, and instructions. OTS's Regional Offices and the states or territories they cover are as follows:

***Northeast Regional Office***

Harborside Financial Center Plaza Five  
Suite 1600  
Jersey City, NJ 07311  
(201) 413-1000

Region: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and West Virginia.

***Southeast Regional Office***

1475 Peachtree Street, N.E.  
Atlanta, GA 30309  
(404) 888-0771

Mail: P.O. Box 105217  
Atlanta, GA 30348-5217

Region: Alabama, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, North Carolina, South Carolina, Puerto Rico, the Virgin Islands, and Virginia.

***Midwest Regional Office***

225 E. John Carpenter Freeway, Suite 500  
Irving, TX 75062-2326  
(972) 277-9500

Mail: P.O. Box 619027  
Dallas/Ft. Worth, TX 75261-9027

Region: Arkansas, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Wisconsin.

***West Regional Office***

Pacific Plaza  
2001 Junipero Serra Blvd.  
Suite 650  
Daly City, CA 94014-1976  
(650) 746-7000

Mail: P.O. Box 7165  
San Francisco, CA 94120-7165

Region: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, New Mexico, Nevada, North Dakota, Northern Mariana Islands, Oregon, South Dakota, Utah, Washington, and Wyoming.

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*Nondelegated Applications*

As previously stated, Section 040 of the handbook should be consulted for those applications that will be concurrently processed with the Washington office. For these applications, or if applicable regulations or forms so direct, an applicant must file the required number of copies with OTS's Applications Filing Room (AFR) in Washington at 1700 G Street, N.W., Washington, D.C. 20552 in addition to filing with the appropriate Regional office. Any filings received after the close of business established by a Regional or Washington office will be considered received on the next business day.

If the application form does not indicate the number of copies to be filed, or OTS does not have a prescribed form for the application, three copies must be filed with the AFR. All copies should be clearly captioned as to the type of filing, and should contain all exhibits and other pertinent documents. The application will be considered filed when both the Washington and Regional offices receive the appropriate number of copies, and the fee has been submitted to the appropriate Regional office. In the event a fee waiver is requested, the application will not be considered filed until such time as a decision is made with respect to the request. All fee waiver requests will be acted on by the Washington office.

**Securities Filings**

Securities Filings, filed pursuant to 12 C.F.R. Parts 563g and 563d.1, should be submitted directly to OTS's Securities Filings Desk at 1700 G Street, N.W., Washington, D.C. 20552.

**Confidentiality**

The applicant must submit in writing, concurrently with the submission of the application, any requests to keep specific portions of the application confidential. In accordance with the Freedom of Information Act, the request should discuss the justification for the requested treatment and should specifically demonstrate the harm (e.g., to competitive position, invasion of privacy) that would result from the public release of information. OTS will not treat as confidential the portion of an application describing the plan to meet the Community Reinvestment Act objectives.

Information for which confidential treatment is requested should be: (i) specifically identified in the public portion of the application by reference to the confidential section; (ii) separately bound; and (iii) labeled "confidential." The applicant should follow these same procedures when filing supplemental information to the application. OTS will determine whether information designated as confidential must be made available to the public under the Freedom of Information Act. OTS will advise the applicant before it makes information designated as confidential available to the public.