



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of
WESCO, INC.)
for a declaratory ruling regarding)
MCL 436.1541)
_____)

At the Michigan Liquor Control Commission’s (“Commission”) December 19, 2017 meeting in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

DENIAL OF DECLARATORY RULING REQUEST

On November 22, 2017, Brennen J. Gorman, Brower Vander Veen, PLC, on behalf of Wesco, Inc. (“Petitioner”) requested that the Commission issue a declaratory ruling in accordance with administrative rule R 436.1971.

The Petitioner is licensed by the Commission at over 50 gasoline stations/convenience stores across the state of Michigan. In its retail outlets that hold a specially designated distributor license and are not located in a neighborhood shopping center, MCL 436.1541(1) of the Michigan Liquor Control Code of 1998 (“Code”), requires the Petitioner to maintain a minimum inventory, excluding alcoholic liquor and motor vehicle fuel, of not less than \$250,000, at cost, of those “goods and services customarily marketed by approved types of businesses”.

The Petitioner requests that the Commission declare a standard or non-exhaustive list of services to be used in calculating the minimum inventory requirement created by MCL 436.1541(1) and that the Commission determine a method of accounting for those services to be applied toward the \$250,000 minimum inventory. The Petitioner argues that both customer service representatives and credit card machines should be services that the Commission accepts as services customarily marketed by approved type businesses. The Petitioner

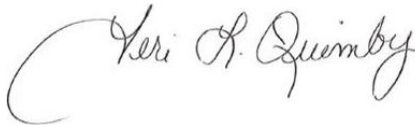
contends that those services should be included in the minimum \$250,000 inventory requirement under MCL 436.1541(1) and that the Commission should determine a method of accounting for those services.

The Commission considers the inventory requirement contained in MCL 436.1541(1) of the Code to be a valid policy discussion topic rather than a subject for a declaratory ruling. Therefore, the declaratory ruling request from the above licensee is hereby DENIED under administrative rule R 436.1975.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

JW

Date Mailed: April 28, 2018