

R1-07 MOTIONS

(a) Purpose. — Motions may be addressed to the Commission:

- (1) To make pleadings more specific, or for a bill of particulars,
- (2) To strike irrelevant or immaterial allegations in pleadings,
- (3) To make additional parties, to strike improper parties, or to substitute parties, or for leave to amend pleadings,
- (4) To dismiss a pending proceeding for want of jurisdiction,
- (5) For postponement of a hearing, or of the effective date of an order, or for an extension of time within which to comply with an order of the Commission, or for such other relief as may be appropriate.

(b) Form. — Motions, unless made during a hearing and dictated into the record, shall be in writing, shall comply with the requirements of Rule R1-5(c), shall be signed by the party making the same or by his attorney, and if based on matters which do not appear of record shall be verified or supported by affidavit. Every written motion shall be clearly and concisely stated in a separate paragraph without argument, explanation, or other extraneous statements. The statement of the motion may be followed by one or more paragraphs of explanations, arguments, and briefs in support thereof as the party may consider appropriate. Motions dictated into the record shall likewise be first clearly stated without arguments or explanations.

(c) Copies; Notice to Parties. — Subject to the provisions of Rule R1-21(c) every motion made in a pending proceeding other than those made before the Commission or an Examiner at the time of the hearing, shall be filed with the Commission, with original plus the number of copies specified in Rule R1-5(g), and shall certify that a copy thereof has been served upon each party of record in the cause, or upon the attorney of record of each such party in accordance with Rule R1-39.

(d) Computation of Time. — See Rule R1-27.

(NCUC Docket No. M-100, Sub 23, 8/18/69; NCUC Docket No. M-100, Sub 35, 7/3/70; NCUC Docket No. M-100, Sub 56, 5/24/74; NCUC Docket No. M-100, Sub 133, 2/2/06; NCUC Docket No. M-100, Sub 136, 6/26/12.)