

R1-26 RECOMMENDED DECISION OF COMMISSION PANEL, HEARING COMMISSIONER OR AN EXAMINER

(a) Contents. - A Commission Panel, Hearing Commissioner or Examiner to whom a matter has been referred for hearing, as provided in G.S. 62-76 shall include the following in the report to the Commission:

- (1) The docket number and title of the proceeding.
- (2) The time and place of the hearing.
- (3) The appearances entered at the hearing.
- (4) A concise statement of the issues, or of the relief sought.
- (5) Findings of fact set forth separately.
- (6) Conclusions of law.
- (7) A recommended order in the cause.

(b) Service. - Copies of the report shall be served upon counsel of record for the parties who have appeared in the proceeding, or if not represented by counsel, then upon the parties.

(c) Exceptions. - Every report and recommended order made by a Commission Panel, a Hearing Commissioner or an Examiner shall fix a time not less than fifteen (15) days from the receipt thereof by the parties to the proceeding within which any party to the proceeding may file exceptions to such report and recommended order, and no report and recommended order shall become effective until the expiration of the time so fixed for the filing of exceptions, and if exceptions are filed within the time allowed, the report and recommended order shall be automatically suspended pending the ruling and order of the Commission on said exceptions.

Each exception shall be numbered and shall plainly and concisely state in a separate paragraph without unnecessary repetition and without argument the precise matter to which exception is taken. Arguments, explanations, excerpts from court decisions or references to other pertinent matters may be stated in one or more paragraphs following the statement of the exception. Exceptions shall be typewritten or printed and filed with the Commission in triplicate, and shall show by certificate or statement that a copy thereof has been mailed or delivered to each party of record in the case and to their counsel.

(NCUC Docket No. M-100, Sub 22, 9/15/69; NCUC Docket No. M-100, Sub 75, 10/27/77.)