

**SECTION .0200 - ARBITRATION HEARING: GENERAL PRINCIPLES: EX-PARTE HEARINGS:  
TRANSCRIPTS OR RECORDINGS: OATH OF OFFICE**

**13 NCAC 04B .0201      GENERAL PRINCIPLES**

- (a) The arbitrator appointed by the commissioner shall preside at the hearings. The arbitrator shall provide a fair and adequate hearing which assures that both parties have sufficient opportunity to present their respective arguments and evidence and to cross-examine witnesses.
- (b) The arbitrator should conform to the various types of hearing procedures desired by the parties. He may:
- (1) encourage stipulation of fact;
  - (2) question the parties' representatives or witnesses, when necessary or advisable, to obtain additional pertinent information; and
  - (3) request that the parties submit additional information, either at the hearing or by subsequent filing.
- (c) The arbitrator should not intrude into a party's presentation so as to prevent that party from putting on its case fairly and adequately.

*History Note:      Authority G.S. 95-36.3;  
                          Eff. February 1, 1976;  
                          Readopted Eff. September 30, 1977;  
                          Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22,  
                          2018.*