04 NCAC 03B .0225 MOTIONS

(a) Any party may file any motion which would be permitted under the Rules of Civil Procedure if the contested case was pending in a Court.

(b) The opposing party may file such response as is permitted by the Rules of Civil Procedure to any such motion within five days of the date that it is filed with the Commissioner.

(c) The hearing officer shall rule on any such motion. The hearing officer may rule on any motion with or without oral argument. If the hearing officer determines that oral argument is appropriate, he shall notify the parties of the date for such argument. The notice shall indicate whether the argument is to be conducted in person or by conference call.

History Note: *Authority G.S. 53-93; 150B-38(h);*
Eff. August 1, 2004.