

21 NCAC 16N .0507 TYPES OF INTERVENTION

(a) Intervention of Right. A petition to intervene of right, as provided in the North Carolina Rules of Civil Procedure, Rule 24, will be granted if the petitioner meets the criteria of that rule and his petition is timely.

(b) Permissive Intervention. A petition to intervene permissively, as provided in the North Carolina Rules of Civil Procedure, Rule 24, will be granted if the petitioner meets the criteria of that rule and the Board determines that:

(1) There is sufficient legal or factual similarity between the petitioner's claimed rights, privileges, or duties and those of the parties to the hearings; and

(2) Permitting intervention by the petitioner as a party would aid the purpose of the hearing.

(c) Discretionary Intervention. The Board may allow discretionary intervention, with whatever limits and restrictions are deemed appropriate. Upon the filing of a timely petition, discretionary intervention will be deemed advisable if:

(1) The information petitioner desires to present is relevant, not repetitious and cumulative; and

(2) The petitioner would lend added impact to the arguments of the parties.

History Note: Authority G.S. 150B-38;

Eff. August 25, 1977;

Legislative Objection Lodged Eff. February 19, 1980;

Amended Eff. November 20, 1980;

Legislative Objection Removed Eff. March 19, 1981;

Amended Eff. May 1, 1989; April 2, 1981;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.