

**21 NCAC 42L .0106 WRITTEN RESPONSE TO THE NOTICE OF HEARING**

(a) Any party served with a notice of hearing may file a written response. Such response shall be served on the Board by certified mail at the address specified in 21 NCAC 42A .0001. The U.S. Post Office postmark or cancellation stamp date on such envelope shall be deemed the date such response was served on the Board.

(b) If the written response is submitted in lieu of a personal appearance by the party at the hearing, the envelope containing the response must bear the notation: "RESPONSE IN LIEU OF APPEARANCE IN THE CASE OF (name of case)" and the official file or reference number of the proceeding. The party shall mail the response in lieu of appearance by first class mail, postmarked not less than ten full days prior to the date set for the hearing.

*History Note: Authority G.S. 90-117.5; 150B-38;*

*Eff. June 1, 1989;*

*Amended Eff. April 1, 1993;*

*Renumbered from 21 NCAC 42L .0005 Eff. April 1, 1993;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.*