

**1405.0500 NOTICE OF HEARING.**

Subpart 1. **Contents.** Proceedings under parts 1405.0200 to 1405.2800 are commenced by the board issuing a notice of hearing pursuant to the requirements of Minnesota Statutes, chapter 116C. The notice of hearing shall contain, but not be limited to, the following:

- A. the date, time, and place for each hearing;
- B. name and address and telephone number of the administrative law judge;
- C. a citation to the board's statutory authority to hold the hearing and to take the action proposed;
- D. a description of the proposed project together with a citation to the relevant statutes or rules;
- E. notification that all persons may be represented by legal counsel, but that such representation is not required;
- F. a citation to these rules and to any applicable procedural rules of the board and where they may be obtained;
- G. the name, address, phone number, and function of the public adviser designated by the board pursuant to Minnesota Statutes, section 216E.08, subdivision 3;
- H. the name, address, and telephone number of the appropriate member of the power plant siting staff who will be representing the board and the name, address, and telephone number of the member of the attorney general's staff who may be contacted for advice on matters dealing with board procedures;
- I. a statement advising all persons of the right to intervene, the procedures which must be complied with, and a summary description of the rights and responsibilities intervening parties have as opposed to other persons wishing to participate;
- J. the date, time, and place of any prehearing conference;
- K. the place where all interested persons may review all materials including all prefiled testimony, and the date when such will be available;
- L. a listing of the existing parties giving the name and address of the person designated to receive all notices;
- M. a statement of the commencement times and places of the public hearings where cross-examination by parties will occur, where questioning by interested persons will occur, and where direct testimony or comments from the public will occur;
- N. a statement indicating that hearings may be recessed and reset by the administrative law judge pursuant to parts 1405.1400 to 1405.2300; and

O. a listing of witnesses exempted from appearing throughout the hearing process pursuant to part 1405.2000, and a listing of the dates and places such witnesses will be in attendance.

Subp. 2. **Subsequent notices.** The administrative law judge may order subsequent notices to be issued by the board as the judge deems appropriate containing corrections of earlier notices and additional information available after issuance of earlier notices. Such subsequent notices shall be disseminated in the same manner as the original notice, unless the administrative law judge, for good cause shown, orders some other method of dissemination.

Subp. 3. **Defects.** Defects in the notices shall not invalidate the proceedings, provided a bona fide attempt to comply with this part has been made.

**Statutory Authority:** *MS s 116C.66; 216E.16*

**History:** *L 1984 c 640 s 32; 17 SR 1279*

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