

**1405.1500 SEQUENCE OF PROCEEDINGS.**

Subpart 1. **Recess.** All hearings shall recess at 11:00 p.m. unless the administrative law judge determines that the public interest will best be served in any given hearing by continuing the hearing beyond 11:00 p.m. The administrative law judge may, in the judge's discretion, order a time and place for a continuance of that hearing.

Subp. 2. **Two-stage hearing.** The hearing may be scheduled in two stages. The first stage shall be for the purpose of introducing into evidence all of the prefiled direct testimony of the parties, and the cross-examination of each witness by all other parties. The subsequent stage shall be for the purpose of allowing all other interested persons to present their direct testimony and to question witnesses that offered testimony during the first stage of the hearing process.

Nothing contained herein shall be interpreted so as to prevent the public from being present during the first stage of the proceedings or to question witnesses at an appropriate time during the first stage of the proceedings, should time allow. The administrative law judge may give priority to those members of the public desiring to ask questions which would enable them to better prepare for cross-examination during subsequent stages. It is the intended purpose of the two-stage process to establish specific hearing dates for the primary purpose of public participation in order to avoid inconveniencing the general public by requiring them to wait until late at each hearing before having opportunity to offer direct testimony and ask questions. However, at the discretion of the administrative law judge, the applicant and other parties may present a brief summary of the prefiled direct testimony at the beginning of each session.

Subp. 3. **Additional hearing dates.** Nothing contained herein shall be interpreted so as to prevent the administrative law judge from establishing additional hearing dates on motion or at the judge's discretion.

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

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

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