

1405.1900 PREFILED TESTIMONY.

Subpart 1. **Preparing and filing.** All direct testimony to be offered by any party proposing a route or site shall be prepared in advance in question and answer form and shall be filed 14 days prior to the first hearing date in the following manner:

- A. the original and one copy with the administrative law judge;
- B. one copy with the board;
- C. one copy with each party; and

D. one copy at a place in each county where a hearing is to be held pursuant to statute at a location designated by the board for public review.

Subp. 2. **Procedure.** Prefiled testimony will be part of the record in each proceeding as if read, but all of the witnesses shall be available for cross-examination and questioning at each and every hearing subject to the provisions of part 1405.2000. Objections to such direct testimony may be made by any person, any time during the hearings conducted pursuant to parts 1405.0200 to 1405.2800. Five copies of the prefiled testimony of each witness shall be made available for the review by the public at each hearing.

At the hearing, the party presenting the testimony may, if it deems appropriate, briefly summarize the prefiled testimony prior to start of cross-examination.

Subp. 3. **Rebuttal testimony.** Nothing contained herein shall be deemed to foreclose any party from presenting rebuttal testimony or from presenting testimony in response to reasonably unforeseen areas, both without the necessity of prefiling.

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

History: *L 1984 c 640 s 32*

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