

**5505.0600 HEARINGS.**

Subpart 1. **Conformity.** All hearings under this chapter must be conducted according to subparts 2 to 9.

Subp. 2. **Conduct.** All hearings before the commissioner are open to the public. The commissioner has the powers under Minnesota Statutes, section 179.16, subdivision 3.

Subp. 2a. **Virtual hearing.** If all parties agree, the hearing may take place virtually through an online conferencing or videoconferencing tool.

Subp. 3. **Testimony and evidence.** A party to the proceedings is entitled to:

- A. appear in person or by attorney or representative;
- B. call, examine, and cross-examine witnesses; and
- C. introduce only competent evidence, either documentary or other evidence as the commissioner deems admissible.

Subp. 4. **Stipulation.** The parties to the dispute may stipulate to agreed-upon facts and evidence.

Subp. 5. **Objections.**

A. An objection on the conduct of the hearing, including an objection to the introduction of evidence, must be stated orally, together with a statement of the grounds for the objection, and be included in the recording.

B. A party does not waive its objection if the party continues to participate in the hearing.

Subp. 6. **Adjournment.** The commissioner may adjourn the hearing as the commissioner deems necessary upon appropriate notice to the parties.

Subp. 7. **At close of hearing.**

A. At the close of the hearing, the parties are entitled to submit either oral or written arguments as determined by the commissioner under this subpart.

B. If the commissioner permits oral argument, the commissioner must determine its length. Unless ordered by the commissioner, oral arguments are not part of the recording.

C. If there are written arguments, the commissioner must determine the deadline for filing.

Subp. 8. **Disregarding testimony.** All or any part of a witness's testimony may be disregarded by the commissioner if the witness refuses to answer any question that the commissioner has ruled proper.

Subp. 9. **Record.**

A. The record in the proceedings consists of:

- (1) the request for investigation under part 5505.0300;

- (2) the notice of hearing under part 5505.0500, subpart 2, item A;
- (3) proof of service of notice on the parties to the proceedings;
- (4) the objections of any person to the proceedings;
- (5) the rulings on the objections;
- (6) all motions, stipulations, exhibits, documentary evidence, depositions, and findings of fact and conclusions;
- (7) the hearing recording; and
- (8) the commissioner's final order.

B. The record must be kept for 90 calendar days.

**Statutory Authority:** *MS s 179.02; 179.82; 179A.04; 179A.16; 626.892*

**History:** *L 1987 c 186 s 15; 17 SR 1279; 46 SR 1387*

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