

**PROCEDURES FOR LICENSING HEARINGS CONDUCTED VIA
ELECTRONIC MEANS**

I. Pretrial Procedures:

1) Licensing will electronically submit a case to the Office of Chief Counsel for scheduling.

2) A hearing date and time will be created, and notification will be sent electronically to all parties, protestants, intervenors, counsel, and to External Affairs for public access notice purposes only. Email addresses to be used for the submission of documents to the hearing examiner, the assigned PLCB counsel and the court reporter will be set forth in the hearing notice.

3) Hearing packet will be sent electronically to the Hearing Examiner.

4) Within 3 business days of the scheduling of the hearing date, Licensing shall electronically forward to the assigned PLCB counsel separate PDFs of each document to be used at the hearing. Each attestation shall also be a separate PDF document.

5) The assigned PLCB attorney will review the documents and will rename them pursuant to their exhibit number (e.g., B1, B2, etc).

6) The assigned PLCB attorney shall electronically forward all pdf documents to the opposing party, the hearing examiner, and the court reporter no later than two weeks prior to the scheduled hearing. When submitting documents, the attorney shall identify the hearing by licensee name, hearing date and time. The only email address to be used for submitting documents to the court reporter is schedule@sargents.com.

7) Opposing counsel, protestants, and/or intervenors shall electronically submit all of their documents to PLCB counsel, the hearing examiner, and the court reporter at least three business days prior to the hearing. When submitting documents, each participant shall identify the hearing by licensee name, hearing date and time. The only email address to be used for submitting documents to the court reporter is schedule@sargents.com.

Failure to provide a copy of a document prior to the hearing shall be grounds for its exclusion unless the parties agree otherwise. All documents shall be separated into individual pdf files and shall be labeled as follows:

- A) For a license applicant, the documents shall be labeled: A1, A2, etc.
 - B) For an existing licensee, the documents shall be labeled: L1, L2, etc.
 - C) For a protestant, the documents shall be labeled: P1, P2, etc.
 - D) For an intervenor, the documents shall be labeled: I1, I2, etc.
- 8) All objections to documents shall be made at the time of their admission.
- 9) Pre-Trial Conference
- A) No later than one week prior to the scheduled hearing, the Office of Chief Counsel will contact parties individually to review basic information concerning the use of the Microsoft Teams application for the hearing.
 - B) Should the parties jointly agree it may be beneficial, or at the request of the hearing examiner, a telephonic pre-hearing conference may be held with the hearing examiner to discuss matters that need to be addressed prior to the hearing. This pre-hearing conference shall be held no earlier than fourteen days prior to the scheduled date of the hearing and no later than three days prior to the scheduled date of the hearing. Notwithstanding the timeline in Part I.7 above, all documents must be exchanged prior to such a pre-trial conference and in no event will the hearing date be postponed due to lack of timely submission of documentation.

II. Hearing Procedures:

- 1) The Office of Chief Counsel will assign a moderator for the proceeding. The Moderator will be responsible for muting and unmuting witnesses

and muting spectators. Each attorney will be responsible for muting his/her own microphone.

- 2) For purposes of maintaining social distancing, each participant who anticipates speaking must be on a separate electronic device with its own camera and microphone, and not a device being shared during the hearing.
- 3) All parties shall mute their microphones unless testifying, presenting a case in chief, conducting cross examination, objecting, or otherwise addressing the hearing examiner (collectively, “participating individuals”). All participating individuals must be clearly audible and clearly visible via video feed using the Microsoft Teams application.
- 4) All other witnesses and all spectators shall be muted. The PLCB’s Moderator will mute witnesses and spectators through the Microsoft Teams application as needed to preserve the auditory integrity of the proceeding.
- 5) In no event will any individual be permitted to speak on the record unless there is concurrent audio and video presence of that individual via the Microsoft Teams application.
- 6) A stenographic record shall be made of the proceeding as in the normal course. The video of the proceeding will not be preserved.
- 7) All participants are reminded that this constitutes a formal legal proceeding, and appropriate attire and comportment is expected.