**Section 101.610 Duties and Authority of the Hearing Officer**

The hearing officer has the duty to manage proceedings assigned, to set hearings, to conduct a fair hearing, to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear, complete, and concise record for timely transmission to the Board. The hearing officer has all powers necessary to these ends, including the authority to:

a) Require parties to proceed to hearing and establish a schedule for, and notice and service of, any prefiled submission of testimony and written exhibits;

b) Administer oaths and affirmations;

c) Allow for the examination of or examine witnesses to ensure a clear and complete record;

d) Regulate the course of the hearing, including controlling the order of proceedings;

e) Establish reasonable time limits on the testimony and questioning of any witness, and limit repetitive or cumulative testimony and questioning;

f) Determine that a witness is adverse, hostile, or unwilling under Section 101.624;

g) Issue an order compelling the answers to interrogatories or responses to other discovery requests;

h) Order the production of evidence under Section 101.614;

i) Order the filing of any required Agency record, OSFM record, local siting authority record, or recommendation in a manner that provides for a timely review and development of issues prior to the hearing and consistent with any statutory decision deadline;

j) Initiate, schedule, and conduct a pre-hearing conference;

k) Order a briefing and comment schedule and exclude late-filed briefs and comments from the record;

l) Rule upon objections and evidentiary questions;

m) Order discovery under Sections 101.614 and 101.616;

n) Rule on any motion directed to the hearing officer or deferred to the hearing officer by the Board consistent with Section 101.502;

o) Set status report schedules;

p) Require all participants in a rulemaking or TLWQS proceeding to state their positions regarding the proposal or petition, as applicable; and

q) Rule upon offers of proof and receive evidence and rule upon objections to the introduction of evidence.

(Source: Amended at 44 Ill. Reg. 14867, effective September 4, 2020)