

Subchapter C. CLASSIFICATION OF APPLICATIONS OR OTHER DOCUMENTS INITIATING A PROCEEDING.

§22.34. Consolidation and Severance.

- (a) **Consolidation.** A motion for consolidation of proceedings shall be in writing. With prior notice to the parties, the presiding officer may order the consolidation of proceedings on his or her own initiative. Proceedings may be consolidated if the presiding officer finds that: the proceedings involve common questions of law or fact; consolidation would serve the interest of efficiency or prevent unwarranted expense and delay; and, the applicant's ability to present its case and other parties' ability to respond to the applicant's case are not unduly prejudiced. Proceedings shall be consolidated if requested based on the agreement of all parties, and if such consolidation would not unreasonably curtail the time available to process one or more of the proceedings proposed for consolidation.

- (b) **Severance.** A motion for severance of a proceeding or issue within a proceeding shall be in writing. With prior notice to the parties, the presiding officer may order the severance of proceedings on his or her own initiative. Proceedings or issues may be severed if the presiding officer finds that severance would serve the interest of efficiency or prevent unwarranted expense and delay; and the applicant's ability to present its case and other parties' ability to respond to the applicant's case would not be unduly prejudiced. Proceedings or issues within a proceeding shall be severed if requested based on the agreement of all parties.