

Subchapter G. PREHEARING PROCEEDINGS.

§22.124. Statements of Position.

- (a) **Statements of position required.** Each party that has not prefiled direct testimony and, insofar as its prefiled direct testimony does not address issues that a party intends to litigate, each party that has prefiled direct testimony shall file a statement of position no later than three working days before the start of a hearing unless the presiding officer determines that such a requirement would add unjustified burden and expense to the proceeding, or that a different deadline should be imposed. Pursuant to §22.161 of this title (relating to Sanctions), the presiding officer may sanction any party who fails to comply with the requirement that a statement of position be filed.

- (b) **Contents of Statement of Position.** Unless otherwise provided by order of the presiding officer, the statement of position shall contain the following information:
 - (1) a concise statement of the party's position in the proceeding;
 - (2) a concise statement of each question of fact, law, or policy the party considers at issue;
 - (3) a concise statement of the party's position on each issue identified pursuant to paragraph (2) of this subsection.