



## CHAPTER 62

## ARTICLE 4 - PROCEDURE BEFORE THE COMMISSION

## N.C.G.S. § 62-78.

# Proposed findings, briefs, exceptions, orders, expediting cases, and other procedure.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT             | RETRIEVED                    | SOURCE FINGERPRINT                                                           |
|--------------------------------------------------------------------------|-----------------------------------------|------------------------------|------------------------------------------------------------------------------|
| General Statutes of North Carolina, as published by the General Assembly | c. 867, s. 5 — fifth act in the lineage | 21 September 2026, 03:33 UTC | a4b1966eb83f31e543490cb9 -<br>eea3e8556c5ed1ae80a99b49 -<br>3da7c1e2b4091679 |

**§ 62-78(a)**

Prior to each decision or order by the Commission in a proceeding initially heard by it and prior to any recommended decision or order of a panel of three commissioners, commissioner or examiner, the parties shall be afforded an opportunity to submit, within the time prescribed by order entered in the cause, unless further extended by order of the Commission, for the consideration of the Commission, panel, commissioner or examiner, as the case may be, proposed findings of fact and conclusions of law and briefs or, in its discretion, oral arguments in lieu thereof.

**§ 62-78(b)**

Within the time prescribed by the panel of three commissioners, commissioner, or examiner, the parties shall be afforded an opportunity to file exceptions to the recommended decision or order and a brief in support thereof, provided the time so fixed shall be not less than 15 days from the date of such recommended decision or order. The record shall show the ruling upon each requested finding and conclusion or exception.

**§ 62-78(c)**

In all proceedings in which a panel of three commissioners, commissioner or examiner has filed a report, recommended decision or order to which exceptions have been filed, the Commission, before making its final decision or order, shall afford the party or parties an opportunity for oral argument. When no exceptions are filed within the time specified to a recommended decision or order, such recommended decision or order shall become the order of the Commission and shall immediately become

effective unless the order is stayed or postponed by the Commission; provided, the Commission may, on its own motion, review any such matter and take action thereon as if exceptions thereto had been filed.

**§ 62-78(d)**

When exceptions are filed, as herein provided, it shall be the duty of the Commission to consider the same and if sufficient reason appears therefor, to grant such review or make such order or hold or authorize such further hearing or proceeding as may be necessary or proper to carry out the purposes of this Chapter. The Commission, after review, upon the whole record, or as supplemented by a further hearing, shall decide the matter in controversy and make appropriate order or decision thereon.

**§ 62-78(e)**

The Commission may expedite the hearing and decision of any case if the public interest so requires by the use of pretrial conferences, daily transcripts of evidence, trial briefs, and prompt oral argument, and by granting priority to the hearing and decision of such case.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
5 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

|                                 |      |                                        |           |      |
|---------------------------------|------|----------------------------------------|-----------|------|
| 1949                            |      | 1962                                   |           | 1975 |
| TICK HEIGHT = ACTS IN THAT YEAR |      | DASHED = RECODIFICATION, NOT AMENDMENT |           |      |
| Nº                              | YEAR | ACT                                    | CHARACTER |      |
| 01                              | 1949 | c. 989, s. 1                           | ENACTED   |      |
| 02                              | 1959 | c. 639, s. 4                           | AMENDED   |      |
| 03                              | 1963 | c. 1165, s. 1                          | AMENDED   |      |
| 04                              | 1975 | c. 243, ss. 9, 10                      | AMENDED   |      |
| 05                              | 1975 | c. 867, s. 5                           | AMENDED   |      |

## APPARATUS III

## Citation

## FULL SECTION

N.C. Gen. Stat. § 62-78 (1975).

## PINPOINT

N.C. Gen. Stat. § 62-78(a) (1975).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

## HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1949, c. 989, s. 1; 1959, c. 639, s. 4; 1963, c. 1165, s. 1; 1975, c. 243, ss. 9, 10; c. 867, s. 5.)

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