

274-1-.07 Time of Initial Administrative Appeal Hearing.

(1) The hearing shall be scheduled not less than sixty (60) days nor more than one hundred and twenty (120) days after the filing of the request for a hearing, unless the Applicant consents, or in the case of competing Applicants, all applicants consent to an extension of this time period to a specified date. Unless the Applicant consents, or in the case of competing Applicants, all Applicants consent to an extension of said one hundred and twenty (120) day period, any hearing officer who regularly fails to commence a hearing within the required time period shall not be eligible for continued service as a hearing officer for the purposes of these Rules.

(2) The hearing officer shall be entitled to consider all pre-hearing motions and arguments and may dispose of the case before conducting a hearing. The hearing officer shall have the authority to and shall make such rulings as may be required for the conduct of the hearing.

Authority O.C.G.A. Secs. 31-5A, 31-6, 31-6-44. **History.** Original Rule entitled "Notice of Hearing" adopted as ER. 274-1-0.1-.07. F. July 21, 1983; eff. July 20, 1983, the date of adoption. **Amended:** Permanent Rule entitled "Hearing Panel" adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983. **Repealed:** New Rule entitled "Place of Initial Administrative Appeal Hearing" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995. **Amended:** F. Aug. 15, 2002; eff. Sept. 4, 2002. **Repealed:** New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005. **Repealed:** New Rule entitled "Time of Initial Administrative Appeal Hearing" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.