

199—2506.13(17A,476) Intervention.

2506.13(1) Petition. Unless otherwise ordered by the commission or presiding officer, a request to intervene in a proceeding shall be by petition to intervene filed no later than 20 days following the order setting a procedural schedule. However, when a provision of law directs the commission to issue a decision in the case in six months or less, the petition to intervene is to be filed no later than ten days following the order setting a procedural schedule unless otherwise ordered by the commission or presiding officer.

2506.13(2) Response. Any party may file a response within seven days of service of the petition to intervene unless the time period is extended or shortened by the commission or presiding officer.

2506.13(3) Grounds for intervention. Any person having an interest in the subject matter of a proceeding may be permitted to intervene at the discretion of the commission or presiding officer. In determining whether to grant intervention, the commission or presiding officer will consider:

- a.* The prospective intervenor's interest in the subject matter of the proceeding;
- b.* The effect of a decision that may be rendered upon the prospective intervenor's interest;
- c.* The extent to which the prospective intervenor's interest will be represented by other parties;
- d.* The availability of other means by which the prospective intervenor's interest may be protected;
- e.* The extent to which the prospective intervenor's participation may reasonably be expected to assist in the development of a sound record through presentation of relevant evidence and argument; and
- f.* Any other relevant factors.

2506.13(4) In determining the extent to which the prospective intervenor's interest will be represented by other parties, the consumer advocate's role of representing the public interest will not be interpreted as representing every potential interest in a proceeding.

2506.13(5) The commission or presiding officer may limit a person's intervention to particular issues or to a particular stage of the proceeding, or may otherwise condition the intervenor's participation in the proceeding. Leave to intervene is generally granted by the commission or presiding officer to any person with a cognizable interest in the proceeding.

2506.13(6) When two or more intervenors have substantially the same interest, the commission or presiding officer, in the commission's or presiding officer's discretion, may order consolidation of petitions and briefs and limit the number of attorneys allowed to participate actively in the proceedings to avoid a duplication of effort.

2506.13(7) A person granted leave to intervene is a party to the proceeding. However, unless the commission or presiding officer rules otherwise for good cause shown, an intervenor is bound by any agreement, arrangement, or order previously made or issued in the case.

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