

WAC 480-07-385 Motion for continuance or suspension. (1) Definitions.

(a) A continuance is any postponement of a deadline established by commission rule or order or any extension of time to comply with such a deadline.

(b) A suspension holds all procedural deadlines established by the commission in abeyance pending further commission action.

(2) Procedure.

(a) *Continuance.* Any party may request a continuance by oral or written motion. The commission may require a confirmation letter or email if a party makes an oral request. The presiding officer may rule on such motions orally at a prehearing conference or hearing session, or by written notice or order. The commission will grant a continuance if the requesting party demonstrates good cause for the continuance and the continuance will not prejudice any party or the commission. A party may request a continuance by email to the presiding administrative law judge if the party accurately represents that all other parties either join or do not oppose the request. The commission will grant such a request unless it is inconsistent with the public interest or the commission's administrative needs.

(b) *Suspension.* A party may request that the commission suspend the procedural schedule through a letter or email to the presiding administrative law judge if the party accurately represents that all other parties either join or do not oppose the request. The commission will grant such a request unless it is inconsistent with the public interest or the commission's administrative needs.

(3) Timing.

(a) *Written motion for continuance.* A party must file and serve any written motion for continuance other than an agreed request at least five business days prior to the deadline the party requests to continue. Parties must file any written response to the motion within three business days after the motion is served unless the commission establishes a different date for responses. Parties should submit an agreed request for continuance in writing at least two business days prior to the deadline the parties request to continue.

(b) *Oral request for continuance.* A party must make any oral request for continuance on the record in a proceeding at least two business days prior to the deadline the party seeks to continue. The commission will permit oral responses at the time the oral request is made.

(c) *Request for suspension.* A party should request that the commission suspend the procedural schedule at least five business days prior to the next scheduled deadline in that schedule.

(4) Date certain. The commission will grant continuances only to a specified date.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 17-06-051 (General Order R-588), § 480-07-385, filed 2/28/17, effective 3/31/17; WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-07-385, filed 11/24/03, effective 1/1/04.]