

§ 81.63 Authority of presiding officer.

The presiding officer shall have the duty to conduct a fair hearing, to take all necessary action to avoid delay, and to maintain order. He shall have all powers necessary to these ends, including (but not limited to) the power to:

- (a) Arrange and issue notice of the date, time, and place of hearings, or, upon due notice to the parties, to change the date, time, and place of hearings previously set.
- (b) Hold conferences to settle, simplify, or fix the issues in a proceeding, or to consider other matters that may aid in the expeditious disposition of the proceeding.
- (c) Require parties and amici curiae to state their position with respect to the various issues in the proceeding.
- (d) Administer oaths and affirmations.
- (e) Rule on motions, and other procedural items on matters pending before him.
- (f) Regulate the course of the hearing and conduct of counsel therein.
- (g) Examine witnesses and direct witnesses to testify.
- (h) Receive, rule on, exclude or limit evidence.
- (i) Fix the time for filing motions, petitions, briefs, or other items in matters pending before him.
- (j) Issue initial or recommended decisions.
- (k) Take any action authorized by the rules in this part or in conformance with the provisions of 5 U.S.C. 551-559 (the Administrative Procedure Act).