**Section 5300.835 Emergency Motions**

a) If action is required on a motion prior to the time of the next scheduled Commission meeting at which the requested relief could be statutorily granted, the motion shall be clearly identified as an emergency motion. All emergency motions shall contain a memorandum stating why the motion must be decided prior to the time of the appropriate Commission meeting. All emergency motions shall be presented by Commission staff to the Chairperson, or the Vice Chair in the absence of the Chairperson, of the Commission.

b) The Chairperson, or the Vice Chair in the absence of the Chairperson, of the Commission shall have the authority to consider and grant motions filed under subsection (a) if, and only if, the sole relief requested in the motion is the extension of a filing deadline imposed by the Act or this Part. The Chairperson, or the Vice Chair in the absence of the Chairperson, shall grant those motions only on just terms and for good cause shown.

c) The Chairperson, or the Vice Chair in the absence of the Chairperson, of the Commission shall have the authority to direct the convening of an emergency full Commission or panel meeting to consider an emergency motion. The emergency meeting shall be convened when a party will suffer irreparable damage if the motion is not considered until the next appropriate, regularly scheduled meeting. The following examples illustrate situations in which an emergency meeting will be convened. This is not an exhaustive listing of all situations in which an emergency meeting will be considered appropriate:

1) An emergency meeting will be convened if a delay in petitioning the circuit court for enforcement of a subpoena will make it difficult or impossible for the court to enforce the subpoena.

2) An emergency meeting will be convened if a Commission Order is being violated, and a delay in an action for enforcement will make it difficult or impossible to put the parties into the position they would have been in had there been no violation of the Order.

3) An emergency meeting will be convened upon the motion of the Department if a delay in the approval of the terms and conditions of a settlement makes it difficult or impossible for either party to comply with the terms of the settlement.

d) Every emergency motion shall contain a proposed Order granting the relief requested by the movant.

(Source: Amended at 34 Ill. Reg. 16373, effective October 5, 2010)