**Section 200.520 Interlocutory Review of Hearing Examiner's Ruling**

a) Any ruling by a Hearing Examiner, including rulings of the Chief Hearing Examiner under Sections 200.510 and 200.870, may be reviewed by the Commission, but failure to seek immediate review shall not operate as a waiver of any objection to such ruling. Unless good cause is shown or unless otherwise ordered by the Hearing Examiner or the Commission, the party or Staff seeking review of the ruling shall file a petition for interlocutory review within 21 days after the date of the action that is the subject of the petition. The petition shall be filed with the Chief Clerk together with any offer of proof and shall be served upon the Hearing Examiner and upon Staff and all parties to the proceeding. Other parties and Staff may file responses within seven days of the filing of the petition. Petitions for interlocutory review of a hearing examiner ruling, and any responses and replies to the petition, shall be forwarded by the hearing examiner directly to the Commission for review without communicating further advice or recommendation from any hearing examiner, including the hearing examiner presiding over the case; provided, however, that a hearing examiner may provide a written explanation for the ruling on or before the due date for responses to the petition, which shall be served on the parties. In that case, the hearing examiner shall schedule a time for the petitioner to reply. Only in extraordinary circumstances shall an interlocutory review of a ruling of a Hearing Examiner suspend a hearing.

b) On review of a Hearing Examiner's ruling, the Commission may affirm or reverse the ruling in whole or in part, and may take any other just and reasonable action with respect to the ruling, such as declining to act on an interlocutory basis. Petitions to rehear or reconsider Commission action taken under this Section shall not be entertained by the Commission and are not allowed under this Part, except as to persons who have been denied leave to intervene by such action.

(Source: Amended at 35 Ill. Reg. 6327, effective April 1, 2011)