**Section 761.40 Authority of Hearing Examiner**

a) The Hearing Examiner shall have authority over the conduct of an arbitration and the responsibility for submission of the matter to the Commission for decision. The Hearing Examiner shall have those duties and powers necessary to these ends, including the following:

1) To conduct arbitration hearings and pre-hearing conferences;

2) To direct parties to serve verified statements and exhibits and establish a date certain for service;

3) To conduct discovery of the parties;

4) To supervise all or any part of any discovery procedure;

5) To administer oaths and affirmations;

6) To ensure that the arbitration is conducted in a full, fair and impartial manner, that order is maintained and that unnecessary delay is avoided in the disposition of the proceedings;

7) To examine witnesses and allow parties to examine an adverse party or agent;

8) To rule upon all matters which do not result in the final determination of the proceeding;

9) To call upon any person at any stage of the arbitration proceeding to produce witnesses or information that is material and relevant to any issue;

10) To issue proposed arbitration decisions pursuant to Section 761.420 of this Part; and

11) To issue protective orders in accordance with 83 Ill. Adm. Code 761.240 of this Part.

b) Any party who fails to comply with an order of the Hearing Examiner may be limited in its presentation of information during the arbitration proceeding.