**Section 202.40 Authority of Arbitrator**

a) The arbitrator shall have authority over the conduct of a proceeding and the responsibility for rendering a final binding decision resolving the complaint. The arbitrator shall have those duties and powers reasonably necessary to these ends, consistent with applicable statutes and the purpose of this Part identified in Section 202.10, including the following:

1) To administer oaths and affirmations;

2) To order the issuance of subpoenas, to supervise discovery, and to conduct discovery;

3) To conduct arbitration hearings and prehearing conferences;

4) To rule upon all objections, motions and petitions, to receive evidence, and to grant appropriate interim relief;

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

6) To request briefs and/or oral presentations on specified issues and/or other aids in identifying issues;

7) At any stage of the arbitration or after all parties have completed the presentation of their evidence to call upon any party or the Staff to produce further evidence that is material and relevant to any issue;

8) 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; and

9) To issue protective orders in accordance with Section 202.330.

b) Any party who fails to comply with an order of the arbitrator may be limited in its presentation of information during the arbitration proceeding if the failure to comply disrupts the proceeding or hampers efforts to obtain or admit evidence.