**Section 762.40 Authority of Hearing Examiner**

a) The Hearing Examiner shall have authority over the conduct of a proceeding under this Part 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 hearings and pre-decisional conferences;

2) To grant or deny Petitions to Intervene;

3) To conduct discovery of the parties;

4) To authorize the parties to conduct discovery and to supervise all discovery so authorized;

5) To direct parties to serve testimony and exhibits and establish a date certain for service;

6) To administer oaths and affirmations;

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

8) To examine witnesses and allow the examination of an adverse party or agent;

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

10) To call upon any party at any stage of the proceeding to produce further information that is material and relevant to any issue;

11) To issue recommended decisions pursuant to Section 762.410 of this Part;

12) To issue protective orders in accordance with 83 Ill. Adm. Code 762.220; and

13) To have any proceeding transcribed by a reporter appointed by the Commission.

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