

**21 NCAC 58A .0607      PETITION TO REOPEN PROCEEDING**

- (a) After a final decision has been reached by the Commission in a contested case, a party may petition the Commission to reconsider a case. Petitions will not be granted except when the petitioner can show that the reasons for reconsidering the case are to introduce newly discovered evidence which was not presented at the initial hearing because of some justifiable, excusable or unavoidable circumstance. Upon the running of the 30 day period for seeking judicial review, such petitions will have no effect.
- (b) Decisions on petitions to reopen cases are within the discretion of the Commission.

*History Note:*      *Authority G.S. 150B-38(h);*  
                         *Eff. February 1, 1976;*  
                         *Readopted Eff. September 30, 1977;*  
                         *Amended Eff. February 1, 1989; May 1, 1984;*  
                         *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,*  
                         *2018.*