

WAC 480-07-810 Interim or interlocutory orders. (1) Defined.

Orders the commission enters in an adjudicative proceeding prior to entering an initial or final order are interim or interlocutory orders. Interim or interlocutory orders include, but are not limited to, orders ruling on a party's participation in a proceeding, scheduling issues, discovery disputes, and evidentiary issues.

(2) **When review is available.** The commission has discretion to review interim or interlocutory orders. The commission may accept review of such orders if it finds that:

(a) The order terminates a party's participation in the proceeding, and the party's inability to participate thereafter could cause it substantial and irreparable harm;

(b) Immediate review is necessary to prevent substantial prejudice to a party that would not be remediable in the commission's final order; or

(c) Immediate review could save the commission and the parties substantial effort or expense, or some other factor is present that outweighs the costs in time and delay of exercising review.

(3) **Process for seeking review.** Any party may petition for review of an interim or interlocutory order.

(a) The party must file and serve a petition for interlocutory review within ten days after the commission serves the order the party is petitioning the commission to review. The petition must provide a full explanation of why the petitioner believes the order is erroneous or otherwise should be changed and why immediate review is necessary.

(b) Any other party may file and serve a response to the petition within ten days after the petitioner files the petition unless the commission establishes a different deadline.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 18-18-041 (Docket A-130355, General Order R-592), § 480-07-810, filed 8/29/18, effective 9/29/18; WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-07-810, filed 11/24/03, effective 1/1/04.]