

PROPOSED REGULATION
APPEAL OF DISCOVERY DETERMINATION MADE AT PREHEARING

8 AAC 45.065 is amended and renumbered by adding a new subsection to read:

8 AAC 45.065. **Prehearings.**

(e) Notwithstanding the provisions of 8 AAC 45.065(d), a party may appeal a discovery order entered by a board designee pursuant to AS 23.30.108 by filing with the board a petition in accordance with 8 AAC 45.050 setting forth the grounds for the appeal and an affidavit of readiness for hearing on the petition pursuant to AS 23.30.110(c). Unless a petition and an affidavit of readiness for hearing is filed under this subsection within 10 days after the date of service of the prehearing summary and discovery order from which the party appeals, the board designee's discovery order is final.

(Eff ___ / ___ / _____, Register _____)

Authority: AS 23.30.001 AS 23.30.005 AS 23.30.107 AS 23.30.108

AS 23.30.110