

Excerpt from Department rule Chapter 2, *Rule Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. 2 § 24 (last amended June 9, 2018).

F. **Procedure.** The procedure for hearings on appeals is governed by section 7(C) of this rule. Appeals decided without a hearing will be considered based on the administrative record on appeal and oral argument at a regular meeting of the Board as follows:

- (1) the executive analyst for the Board briefly introduces the appeal, indicating the subject matter, the appellant's basis for appeal and the relevant statutes and rules;
- (2) the appellant makes a presentation discussing objections or challenges to the Commissioner's decision on the application;
- (3) when the appellant is a person other than the licensee, the licensee is then provided an opportunity to address the issues raised by the appellant;
- (4) at the Chair's discretion, other persons may comment on the appeal;
- (5) Department staff makes a presentation addressing the objections and challenges of the appellant and indicating the Commissioner's recommended disposition of the appeal;
- (6) at the Chair's discretion, the appellant and licensee may be provided with a final opportunity for rebuttal.

The Board, its staff and legal representative may at any time address questions to any person participating in the appeal.