

TITLE 267 – NEBRASKA OIL AND GAS CONSERVATION COMMISSION

CHAPTER 6 – RULES OF PRACTICE AND PROCEDURE BEFORE THE OIL AND GAS
CONSERVATION COMMISSION OF THE STATE OF NEBRASKA

008 **ORDERS AND DECISIONS**

008.01 Time of Entry; Contents

The Commission or its examiners shall enter its order within thirty (30) days after the hearing and cause the same to be indexed in books to be kept for that purpose. Every decision and order adverse to a party to the proceeding, rendered by the Commission or its examiners in a contested case, shall be in writing and accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the conclusions upon each contested issue of fact. Parties to the proceeding shall be notified of the decision and order in person or by mail. A copy of the decision and order and accompanying findings and conclusions shall be delivered or mailed upon request to each party or his attorney of record.

008.02 Any person having an interest in property affected by an order issued by an examiner and who is dissatisfied with such order may appeal to the Commission by filing a petition on appeal to the Commission within fifteen (15) days of the entering of the examiner's order. The Commission shall hold a hearing on the appeal within forty-five (45) days of the filing of an appeal to the Commission and issue its order within fifteen (15) days after the hearing.

008.03 Quantum of Proof Required

No decision shall be rendered, sanction imposed or rule or order issued except on consideration of the whole record or such portions thereof as may be cited by any party and is supported by and in accordance with a preponderance of the reliable probative and substantial evidence.

008.04 Proceedings for Re-Hearing

No applications or proceedings for re-hearing before the Commission shall be filed except in accordance with Section 57-905(12).

008.05 Briefs

The Commission or its examiners may require the submission of briefs, and any party desiring to submit a brief may do so. The parties shall indicate at the close of the testimony whether they desire to file briefs and the subject matter proposed to be covered.

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The time for filing briefs will be fixed by the Commission or its examiners. Briefs shall be double spaced except for citations. Five (5) copies shall be filed with the Commission and one (1) copy served upon each party to the proceeding or his attorney of record requesting the same.

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