

Sec. 21a-9-4. Contested cases

(a) A "Contested Case" means a proceeding, including but not restricted to rate-making price fixing and licensing, in which the legal rights, duties or privileges of a party are required by statute to be determined by an agency after an opportunity for hearing or in which a hearing is in fact held, but does not include hearings referred to in Section 4-168 of the Connecticut General Statutes.

(b) When an agency has reason to believe there has been a violation of the statute(s) or regulation(s) it administers, it shall issue a complaint by certified mail to the respondent.

(c) The notice in contested cases shall contain:

- (1) A statement of the statutory authority and jurisdiction for instituting the proceedings;
- (2) A reference to the specific statutory section(s) or regulations alleged to be violated;
- (3) A short and plain statement of the matters asserted sufficient to inform each respondent of the acts or practices alleged to be in violation of the law;
- (4) Notice of the time, date, place and nature of the hearing; and
- (5) A statement that each respondent may, if he desires, be represented by an attorney.

(d)

(1) If a respondent can show a need for additional time to prepare a defense to the alleged violations, an extension of time may be granted by moving the scheduled hearing to a later date. The granting of such a request is within the complete discretion of the agency or such presiding officer as has been designated by the agency.

(2) If a respondent can show that the complaint is unclear or ambiguous as to the nature of the acts in violation of the law, he may file with the agency a written motion for a more detailed statement of the nature of the charges against him. The granting or denial of such a motion is within the complete discretion of the agency or such presiding officer as has been designated by the agency.

(3) Any pleading which a Respondent wishes considered by the agency prior to the convening of a contested case proceeding may be filed up to seven days prior to the hearing date. If a Respondent can show a need for additional time to submit documentation, an extension of time may be granted. The granting of such a request is within the complete discretion of the agency or such presiding officer as has been designated by the agency.

(Effective September 22, 1988)