

MAREMONT CORPORATION

Docket 8763. Order, July 23, 1969

Order denying respondent's motion for reconsideration of Commission's order denying respondent's request to withdraw matter from adjudication for the purpose of negotiating a consent order and for oral presentation.

ORDER DENYING REQUEST FOR RECONSIDERATION OF PRIOR
ORDER AND FOR ORAL PRESENTATION

This matter is before the Commission upon respondent's motion filed July 9, 1969, for reconsideration of the Commission's order of June 27, 1969, and a renewal of its request for oral presentation, asserting that apparently certain pertinent documents had not yet reached the Commission at the time it issued such order.

The Commission having considered all the documents filed in this proceeding, including the hearing examiner's amended order of certification filed June 20, 1969, and respondent's memorandum and request for oral presentation filed June 25, 1969, has determined that these contain no new or different facts or circumstances sufficient to justify modification of the Commission's order issued June 27, 1969, denying respondent's request for withdrawal from adjudication. The Commission has further determined that it is fully advised by the submissions of counsel and that oral presentation would serve no useful purpose in the circumstances.

The Commission, in denying respondent's request to withdraw this matter from adjudication for the purpose of negotiating a consent settlement, directed that the parties in any further such request submit in a motion a concrete proposal of settlement. The Commission in this connection notes that if there is a possibility of a consent settlement of the case in whole or in part on the basis of an agreement between the parties and the entry of a consent order in the absence of a record of evidence, then the parties must negotiate the issues first and present a concrete proposal to the hearing examiner for his consideration and action pursuant to Section 3.22 of the Commission's Rules of Practice. Accordingly,

It is ordered, That respondent's motion for reconsideration of the Commission's order of June 27, 1969 be, and it hereby is, denied.