

### **1.2.3.8 EX PARTE COMMUNICATIONS PROHIBITED:**

**A.** A commissioner shall not initiate, permit, or consider a communication directly or indirectly with a party or his or her representative, outside the presence of other parties, concerning a pending rulemaking after the record has been closed or a pending adjudication.

**B.** A hearing examiner shall not initiate, permit or consider a communication directly or indirectly with a party or his or her representative, outside the presence of other parties, concerning a pending rulemaking after the record has been closed or a pending adjudication.

**C.** Advisory staff shall not initiate, permit, or consider a communication directly or indirectly with a party or his or her representative, outside the presence of other parties, concerning a pending rulemaking after the record has been closed or a pending adjudication.

[1.2.3.8 NMAC - N, 7-15-04]

