

Notes from 23 November call

The following items arose during our last call on 23 November and require further consideration from the Sub Team:

Whether the request for consolidation/intervention/participation as amicus should in fact be heard by the full panel, once appointed, rather than a single interim panellist appointed for this purpose – some public comment input to this effect. Considerations:

Typically 1-2 months to seat full panel, so potential delay in dealing with such requests - would this timing work, particularly for consolidation where two IRPs are proceeding in parallel?

Joining party (consolidation/intervention) would not have input on panel selection – is the trade-off they make for joining another proceeding?

Would an alternative be to retain single panelist decision-making, but allow them to confer with full Standing Panel?

The role of the Supporting Organisation, e.g. GNSO, in proceedings where their policy is being challenged:

under Interim Rules they join as a Claimant but, presumably, they actually are opposed to the initial Claimant's position.

Should they be an amicus?

Do we need a mechanism to hold amicus participants accountable:

On last call, we seemed to favour making this at the discretion of the panel, and to add some explicit language to this effect