



Commonwealth of Pennsylvania

Milk Marketing Board
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BULLETIN

No. 1574
April 10, 2020

**NOTICE OF EMERGENCY HEARING AND PRESUBMISSION SCHEDULE
FOR ALL MILK MARKETING AREAS**

OVER-ORDER PREMIUM

NOTICE IS HEREBY GIVEN pursuant to provisions of the Milk Marketing Law, 31 P.S. § 700j-101 *et seq.*, that the Commonwealth of Pennsylvania, Milk Marketing Board (“Board”) will conduct an emergency public hearing for Milk Marketing Areas 1, 2, 3, 4, 5, and 6 on April 20, 2020, at 10:00 a.m. via telephonic conference. The dial-in number is (267) 332-8737. The conference ID is 318854940.

The purpose of the hearing is to receive testimony and exhibits concerning the over-order premium, to be effective May 1, 2020.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Interested parties for the March 4, 2020, over-order premium hearing are also deemed to be interested parties for this emergency hearing. Other persons who wish to present evidence may be included on the Board’s list of parties by (1) having their attorney file with the Board on or before 1:00 p.m. on April 13, 2020, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 or (2) if unrepresented by counsel, filing with the Board on or before 1:00 p.m. on April 13, 2020, notification of their desire to be included as a party. Due to the emergency nature of the hearing necessitated by the coronavirus pandemic, parties must accept service by email. Notices of appearance should be filed at deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. Copies of the filings will be available on the Board website at <http://www.mmb.pa.gov/Public%20Hearings/>.

1. By 3:00 p.m. on April 14, 2020, Board Staff shall file with the Board, via email to deberly@pa.gov, and ensure receipt by all other parties of one (1) copy of:

a. A list of witnesses who will testify for Board Staff, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered

as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a written report or written testimony explaining the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 3:00 p.m. on April 15, 2020, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 12:00 noon on April 17, 2020, each responding party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall state so in their filing and file the document or record with their filing.

PENNSYLVANIA MILK MARKETING BOARD



Carol A. Hardbarger, PhD, Secretary

IF YOU REQUIRE THIS INFORMATION IN AN ALTERNATE FORMAT, CALL
(717) 787-4194 OR 800-654-5984 (PA RELAY SERVICE FOR TDD USERS).