



APPLICATION TO PLATTING BOARD FOR PRE-HEARING DETERMINATION

Telephonic Testimony

Fairbanks North Star Borough

For official use only:

Rcvd by: _____

Date: _____

907 Terminal Street ☆ P.O. Box 71267 ☆ Fairbanks, Alaska 99707-1267

(907) 459-1260 ☆ FAX (907) 205-5169

Complete and return to Department of Community Planning or email to FNSBPB@fnsb.us

Your Information:	
Name: _____	
Physical Address: _____	
Mailing Address: _____	
Phone Number: _____	Cell Phone Number: _____
E-mail Address: _____	
Case Information:	
Case Number: _____	Hearing Date: _____
Please check one: <input type="checkbox"/> I am the <input type="checkbox"/> Applicant or <input type="checkbox"/> property owner in this case <input type="checkbox"/> I received a "Dear Property Owner" letter about this case <input type="checkbox"/> I did not receive a "Dear Property Owner" letter but I reside at a location that is within the hearing notification area <i>(Attach an affidavit or other proof of residence)</i> <input type="checkbox"/> I did not receive a "Dear Property Owner" letter but believe I am an "interested person" (attach Interested Person Determination Application) <input type="checkbox"/> I am the representative of one of the above parties (e.g., an attorney) (please indicate which category of party you represent _____)	
Request for Telephonic Testimony:	
<input type="checkbox"/> I would like a pre-hearing determination that I can testify telephonically at the hearing because <input type="checkbox"/> I will be outside of the Fairbanks North Star Borough on the date of the hearing <i>(please indicate the nature and dates of your time away from the FNSB):</i> <input type="checkbox"/> I have a disability that prevents me from attending <i>(please indicate how your disability prevents you from attending the hearing):</i> <input type="checkbox"/> Other "good cause" reason: <input type="checkbox"/> I would like a pre-hearing determination that I can present a witness telephonically at the hearing because:	

By my signature below, I attest to the truth of the statements made on this form and pursuant to FNSBC 4.04.150.A.1, I agree to pay any charges incurred by the FNSB related to my telephonic testimony.

DATE: _____

SIGNATURE: _____

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

INSTRUCTIONS FOR APPLICATION TO PLATTING BOARD
FOR PRE-HEARING DETERMINATION

This form is only for the type of pre-hearing determination listed. When you complete this form, it is important that you limit your comments to those directly relevant to the information sought for the type of determination. Any information provided in addition to that sought (including information regarding your argument about or position on the matter) may not be considered by the Platting Board Chair in making the pre-hearing determination.

Decisions on the pre-hearing application will be noticed by email. If you do not have an email address, the Platting Board Clerk will call you. You must provide a legible email address and/or phone number and you must check your email (including junk mail) or your voice mail for the Chair's determination. Deadlines will not be waived for your failure to check your email, voice mail, for your failure to answer your phone, because there is no way for the Clerk to leave a message, or because the contact information you provided was not legible.

PRE-HEARING DETERMINATION APPLICATION DEADLINE.¹ All pre-hearing determination applications must be received by the Clerk of the Platting Board (located in the Community Planning Department) before close of business (5 p.m.) no less than 5 working days before the scheduled quasi-judicial hearing at which the applicant wishes to testify.

Example: if you wish to testify at a Wednesday Platting Board meeting, you must submit your application no later than 5 p.m. on the Wednesday, five (5) working days prior to the day of the public hearing.

TELEPHONIC TESTIMONY DETERMINATION. A party, witness, or interested person wishing to testify telephonically at a quasi-judicial matter may apply for telephonic testimony on a form prescribed by the Platting Board and by demonstrating good cause for the request. The request must be received by the Clerk of the Platting Board before the close of business (5 p.m.) no less than 5 working days before the scheduled quasi-judicial hearing at which the applicant wishes to testify. Upon receipt of an application for telephonic testimony the Clerk of the Platting Board shall promptly notify the Platting Board and opposing parties. The Chair of the Platting Board or the Chair's designee may deny the request for telephonic testimony upon finding that the applicant failed to demonstrate good cause for the request or upon finding that substantial prejudice to another party will result from the telephonic participation. Opposing parties may assert that an applicant's telephonic participation will result in substantial prejudice by submitting their argument to the Clerk of the Platting Board before the close of business no later than 3 working days before the scheduled hearing. The Chair or the Chair's designee shall grant or reject the application and the Clerk of the Platting Board shall notify the applicant and opponents of the decision no less than 2 working days before the scheduled quasi-judicial hearing. If the telephonic testimony is allowed, the applicant is responsible for making proper arrangements to accomplish the telephonic testimony and for payment of associated telephone charges. It is recommended but not required that an applicant's telephonic testimony be offered from a landline telephone.

CONCURRENT APPLICATIONS. A party wishing to testify either telephonically or by affidavit may submit concurrent applications. Each application must comply with the respective requirements and procedures outlined in Platting Board Rules 47 and 48. The party shall notify the Clerk of the Platting Board whether the party prefers to testify by affidavit or telephonically.

If the party fails to specify a preference and the Chair of the Platting Board grants both applications then the Commission will provide for telephonic testimony only and the requirements stated in Platting Board Rule 47 shall apply.

¹ Any deadline that falls on an FNSB-observed holiday will thereby be due the following business day. If a deadline falls on a holiday and the foregoing rule is not practicable under the particular circumstances, the Chair or the Chair's designee may modify the deadline in writing issued reasonably in advance of the deadline.