**IRP-IOT Meeting #21**

**9 October 2018 @ 19:00 UTC**

**Decisions, Action Items and Requests (DAIRs)**

7 Participants at start of call

Decisions (regarding interim supplementary rules 20180925):

* Rule 1 – Definitions – Approved no comments
* Rule 2 – Scope – Approved no comments.
* Rules 3 – Composition of Independent Review Panel – Approved no comments.
* Rule 5A – Nature of IRP Proceedings – Approved with typo correction
* Rule 9 – Summary Dismissal – Approved no comments.

Action Items:

* Rule 4 - Time for Filing – SE – post language re “safe harbor” vs final rules wrt 120 days
* Rules 5B Translation - DM – To confirm as per MH comment that language will be inserted that states that the final decision will be posted in English.
* Rules 5B Translation – SE, MH to agree on language regarding administrative vs legal costs and the issue of cost shifting so the IOT can consider it at its next meeting.
* Rule 6 – Written Statements – KW – Draft text regarding mandatory time to provide notice and IRP has started (completed).
* Rule 7 - Consolidation, Intervention and Participation as an Amicus – DM to provide draft language to clarify.
  + it's essential that a person or entity have a right to join an IRP if they feel that a significant -- if they claim that a significant interest they have relates to the subject of the IRP. And that adjudicating the IRP in their absence would impair or impede their ability to protect that.
* Rule 8 – Exchange of Information – DM – to provide draft language to have tighten the rules to avoid disclosing commercial advantage.
  + This is in part related to the joinder I just mentioned. And what I suggest and what I think we need is to tighten the rule to ensure that an IRP panel cannot disclose materials or information amongst joined parties that will compromise competitive confidentiality. I think it's possible to gain the system through intervention. But I think we should tighten up the rule.

Requests:

* (None)

Next meeting:

* Thursday 11 October 1900 UTC