

The Panel acknowledges that Mr. Runyon represented the Interchange before the Materials Management Office but that representation is irrelevant to the Panel Proceedings because our hearings are de novo. The Interchange informed this agency that Mr. Runyon would be their legal counsel for the Panel hearing, but after a scheduled hearing was canceled with no prior notice in January of 2001, Mr. Runyon informed this office he did not represent the Interchange. Therefore, over three months passed after Mr. Runyon withdrew from representing the Interchange and this agency received no information on new counsel during that period.

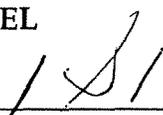
The Panel has established procedures which have been in effect for more than five years. Upon receiving Interchange's appeal, the Panel's legal counsel contacted all parties to make sure that they were aware that incorporated businesses must be represented by legal counsel at the Panel hearings. The procedure followed by this agency is to mail a procedures memorandum to legal counsel for all parties once legal counsel has been identified. The Code directs the Panel to convene within fifteen days of receiving an appeal, however, hearings before the Panel are scheduled as soon as all parties are available and usually convene no more than thirty days after the appeal is received. In the present case, the Panel allowed Interchange more than six months to retain counsel. New counsel in the interest of Interchange contacted this agency only after the April 18, 2001 request for dismissal was received from legal counsel for the Charleston Naval Complex Redevelopment Authority. The new counsel representing the interest of Interchange informed legal counsel for the Panel that they had only been contacted and not retained by the Interchange.

For the forgoing reasons, the Panel denies Interchange's Motion to Rescind the Order of Dismissal.

IT IS SO ORDERED.

**SOUTH CAROLINA PROCUREMENT
REVIEW PANEL**

BY: _____


Gus J. Roberts, Chairman

Columbia, SC

June 6, 2001