**§ 1004. Suspension of simulcast licenses.** 1. The commission may suspend any license authorizing the operation of a facility as a simulcast facility, granted to an operator, if such operator fails to conduct operations in accordance with the provisions of the plan of operation, with the applicable rules of the commission or with the provisions of this article.

2. If the commission determines to suspend any license to operate a simulcast facility, the commission shall give the operator involved notice of the time and plan for a hearing before the commission at which the commission will hear such operator in reference thereto. The commission may continue such hearing from time to time for the convenience of all parties. Any of the parties affected by such hearing may be represented by counsel, and the commission may be represented by its own counsel or by the attorney general. In the conduct of such hearing the commission shall not be bound by technical rules of evidence, but all evidence offered before the commission shall be reduced to writing, and such evidence together with the exhibits, if any, and the findings of the commission shall be permanently preserved and shall constitute the record of the commission in such case. The commission may by order, if occasion shall require, refer to one or more of its members or officers the duty of taking testimony in such matter and to report thereon to the commission, but no determination shall be made thereon except by the commission. Within thirty days after such hearing, the commission shall make a final determination. If the commission determines that such license be suspended, the commission shall make an order accordingly, and shall cause such order to be entered on its minutes and a copy thereof served on such operator. The action of the commission in suspending such license shall be reviewable in the supreme court in the manner provided by the provisions of article seventy-eight of the civil practice law and rules.

3. The commission may immediately suspend any license to operate a simulcast facility for a reason set forth in subdivision one of this section as of the delivery to the affected operator of the notice of hearing required by subdivision two of this section pending final determination of the commission following the hearing. Such emergency

suspension shall be followed by a hearing as provided in subdivision two of this section within twenty days following suspension.