**The EP system is the primary workload monitoring and management tool. Correct use of the EP system facilitates proper control of the pending workloads and appropriate work measurement credit. Each claim received should be promptly (within seven days of receipt) placed under control.**

**EP 170 is the only EP used to control appeals and is established upon receipt of the NOD and substantive appeal. EP 170 does not provide work credit and must be cancelled upon final disposition of the appeal by the VSC/PMC or BVA action.**

**Below is a guide on when to use and clear the appeals Eps 070, 172, 173, and 174.**



**DRO INVOLVEMENT IN APPEAL ACTION:**

|  |  |
| --- | --- |
| **EP** | **When to Use** |
| **173** | If an appeal is resolved by withdrawal of all issues but no decision is made by the DRO. |
|  | When an informal conference/informal hearing held by the DRO is complete or cancelled and no further action is required. |
|  |  |
| **174** | If an appeal is fully resolved by a favorable DRO decision (all issues granted and/or withdrawn). EP is not taken until the final DRO decision is rendered and notification of the decision is sent to the claimant. |
|  | If an appeal is partially granted, or completely denied, and an SOC/SSOC is issued. The EP is not taken until the final DRO decision is rendered. There is NO separate EP 172 for an SOC and no separate 070 for an SSOC. |
|  | If an appeal is denied (confirmed and continued decision) by a DRO decision. EP is not taken until a final DRO decision is rendered and notification of the decision is sent to the claimant. |
|  | If a formal hearing is requested, but the appellant fails to appear, and no further adjudicative action is required. If postponement is requested, cancel the EP and reestablish the EP using the date of postponement request as the new date of claim. |
|  |  |
| **070** | A DRO certified an appeal or recertifies a remand to BVA. Certified or recertified means the case is being dispatched for immediate mailing to BVA. (“Certified to BVA or “Remand Returned” ) |

**NO DRO INVOLVEMENT IN APPEAL ACTION:**

|  |  |
| --- | --- |
| **EP** | **When to Use** |
| **172** | If an appeal is granted by BVA, in full or in part, and the regional office takes required rating or award action. |
|  | If an appeal is granted in full by someone other than a DRO. |
|  | If an SOC is issued by someone other than a DRO. |
|  |  |
| **173** | If a formal appeal is conducted by someone other than a DRO. Clear the EP when the transcript is filed or uploaded in the claim folder or at the time the claimant fails to appear, cancels the hearing request, withdraws the appeal or claim, or a notice of death is received. |
|  | If an appeal is resolved by withdrawal of all issues (including any hearing, formal or informal, scheduled in front of someone other than a DRO). |
|  |  |
| **070** | Whenever an SSOC is mailed. Note: A one-time EP 070 should be cleared for each SSOC mailed while an appeal is in remand status. |
|  | If an appeal is certified or a remand is recertified to BVA. Certified or recertified means the case is being dispatched for immediate mailing to BVA. (“Certified to BVA or “Remand Returned” ) |

**SUBSEQUENT APPEAL ACTIONS:**

|  |  |
| --- | --- |
| **EP** | **When to Use** |
| **172** | If all issues on appeal are granted in full (by a DRO or someone other than a DRO) after an SOC has been released. Typically the date of claim is the date of receipt of the evidence that resulted in the full grant of the appeal. |
|  |  |
| **070** | If an appeal is granted in part (by a DRO or someone other than a DRO) after a SOC has been released. The EP must be cleared and the award worked under EP 930. Typically the date of claim is the date of receipt of the evidence that resulted in the partial grant of the appeal. |

**For additional information see M21-4, Appendix B, Section II, End Products – Compensation, Pension, and Fiduciary Operations, in the Live Manual Website.**