**Section 7040.10 Perfecting a Review**

a) Time for Filing

1) Petitions for review of an arbitration decision shall be filed in duplicate with the Commission within the time provided by statute.

2) The Petition for Review shall contain a statement of the petitioning party's specific exceptions to the Decision of the Arbitrator.

b) Order of Arbitration Transcript

1) Stenographic reports of proceedings before the Industrial Commission shall be furnished the parties only upon written order filed with the Commission.

2) For purposes of perfecting a review, an arbitration transcript must be ordered within the time fixed by statute. The estimated cost of the transcript of proceedings may be obtained from the Industrial Commission, and the party requesting such transcript shall deposit a sum of money covering the estimated cost before the reporter shall be required to complete the transcript. An order entered pursuant to Section 20 of the Workers' Compensation Act (the Act) (Ill. Rev. Stat. 1989, ch. 48, par. 138.20) may be submitted for said monetary deposits.

c) Notice of Additional Evidence

 Parties desiring to introduce additional evidence shall, not less than five (5) days before the date of the hearing on review, give the opposite party a notice apprising him of the fact that additional evidence will be submitted and the nature thereof, at which time a copy of such notice shall also be filed with the Industrial Commission.

d) Authentication of Transcript

1) For purposes of perfecting a review, the transcript of arbitration proceedings shall be authenticated in the manner provided by statute (Ill. Rev. Stat. 1989, ch. 48, par. 138.19(b) and 172.54(b)), and presented to the Commission prior to or at the time set for hearing on review.

2) In cases in which the first hearing of record before the Arbitrator is commenced after December 18, 1989, the transcript of Arbitration proceedings shall be authenticated in the manner provided by statute, and presented to the Commission prior to or at a designated time and place set by the Commission as the Return Date on Review. The Return Date on Review shall be limited to the filing of the authenticated transcript.

A) The Commission shall notify the parties at least thirty (30) days prior to the time set for the Return Date on Review.

B) The reviewing party may elect to submit the authenticated transcript in person or by mail to the Review Department of the Commission at its offices in Chicago on or before the Return Date on Review. The authenticated transcript shall be accompanied by a cover letter indicating the case caption, case number, assigned Commissioner and Return Date on Review. Timely filing by mail shall be shown by a legible postmark date at least two (2) calendar days prior to and exclusive of the Return Date on Review, applied by the U.S. Postal Service, and not by a party, to the envelope in which the document is received by the Commission at its offices in Chicago, Illinois, or the date applied by the U.S. Postal Service to a certified or registered mail receipt bearing the same certification or registry number as the envelope in which the document was received by the Commission at its offices in Chicago, Illinois, showing a date of mailing which is not less than two (2) calendar days prior to and exclusive of the Return Date on Review.

3) In cases in which Section 19(b-1) Petitions have been filed, the transcript shall be authenticated and presented in accordance with Section 7020.80(b)(3)(C).

(Source: Amended at 14 Ill. Reg. 13173, effective August 1, 1990)