**Section 200.40 Definitions**

Unless otherwise defined, the following terms as used in this Part shall have the following meanings:

"Commission" means the Illinois Commerce Commission.

"Commissioner" means a member of the Commission.

"Complainant" means a person who complains to the Commission by formal written complaint of any acts or things done or omitted to be done in violation, or claimed to be in violation, of the jurisdictional acts or of any order or rule of the Commission.

"Contested case" means any *proceeding, not including rate making, rulemaking, quasi-legislative, informational or similar proceedings, where individual legal rights, duties or privileges of a party are required by law to be determined by the Commission after an opportunity for a hearing.* [5 ILCS 100/1-30] With respect to proceedings under the Public Utilities Act, however, *complaint cases initiated pursuant to any section of that Act, investigative proceedings and ratemaking cases shall be considered "contested cases"* [220 ILCS 5/10-101].

"e-Docket" means a Web based electronic filing system that allows electronic filing, management, and access to electronic records that make up case files.

"Electronic" *includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.* [220 ILCS 5/3-122]

"Electronic document" means a pleading or a document transmitted by electronic means to the Commission with an electronic signature attached.

"Electronic record" *means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.* [5 ILCS 175/5-105]

"Electronic signature" means a signature in electronic form issued by the Commission pursuant to Section 200.1020 and consisting of a user I.D. and password attached to or logically associated with an electronic document.

"E-mail address" *means a destination, commonly expressed as a string of characters, to which electronic mail may be sent or delivered.* [815 ILCS 511/5]

"Hearing Examiner" means an employee of the Commission, or a Commissioner, designated by the Commission to conduct hearings and take evidence, who shall have additional powers as are provided by the Electric Supplier Act [220 ILCS 30], the Illinois Commercial Relocation of Trespassing Motor Vehicles Law [625 ILCS 5/Ch. 18A], the Illinois Commercial Transportation Law [625 ILCS 5/Ch. 18C], the Public Utilities Act [220 ILCS 5] and the Illinois Administrative Procedure Act [5 ILCS 100].

"ICTL" means the Illinois Commercial Transportation Law [625 ILCS 5/Ch. 18C].

"Intervenor" means a person who, upon written petition, is permitted to intervene in any proceeding before the Commission; provided that, in the case of any inquiry, investigation or hearing under the Public Utilities Act on any matter relating to rates or other charges or services within any city, such city may become a party to the proceeding and an intervenor by filing with the Commission a written appearance of its attorney or authorized representative.

"License." *A license includes the whole or part of any permit, certificate, approval, registration or similar type of permission required by law.* [5 ILCS 100/1-35]

"Licensing Proceeding" means the Commission *process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal or amendment of a license, when required by law to be preceded by notice and opportunity for hearing* [5 ILCS 100/1-40 and 10-65].

"Non-party participant" means a person who either through testimony or a statement comments on any matter pending before the Commission. A non-party participant is not an "Intervenor" and does not have the rights of an Intervenor. A person need not file a petition to become a non-party participant but must comply with those procedures established by the Hearing Examiner.

"Party" means any person who initiates a Commission proceeding by filing an application, complaint or petition with the Commission, or who is named as a respondent, or who is allowed by the Commission or by statute to intervene in a proceeding. Such a party to a proceeding before the Commission may be an applicant, complainant, intervenor, petitioner or respondent. Staff witnesses are not parties but shall have the specific rights and duties enumerated in this Part.

"Person" means any individual, partnership, corporation, governmental body or unincorporated association.

"Petitioner" or "Applicant" means a party who by written petition or application applies for or seeks relief under any provisions of the jurisdictional acts or any order or rule of the Commission and who is not otherwise designated in this Section.

"Pleading" means any application, complaint, motion, petition or answer filed in writing with the Commission in a formal proceeding.

"Public Utilities Act" means the Public Utilities Act [220 ILCS 5].

"Respondent" means a party against whom a complaint or petition is filed, or a party who, by reason of interest in the subject matter of a petition or application or the relief sought therein, is made a respondent, or a party to whom an order is directed by the Commission initiating a proceeding, including public utilities, telecommunications carriers and carriers under the ICTL which have filed tariff schedules that are suspended for investigation by the Commission.

"Staff" or "Commission Staff" means individuals employed by the Commission. For purposes of this Part, a Hearing Examiner is not considered a member of the Commission Staff.

"Staff witness" means a member of the Commission staff, excluding counsel, who testifies or enters an appearance in a particular proceeding before the Commission. Except for staff witnesses, this definition shall not limit the utilization of Commission staff as technical advisors to the Hearing Examiner or Commission.

(Source: Amended at 24 Ill. Reg. 16019, effective October 15, 2000)