**Section 200.150 Service**

a) Formal complaints will be served by the Commission only.

b) Petitions, applications, answers, intervening petitions, supplemental complaints and petitions, amendments to pleadings, written motions, responses, replies, notices, suggested findings of fact and conclusions of law, exceptions to Hearing Examiners' proposed orders, briefs, drafts or suggested forms of order, applications for further hearing, petitions for rehearing, and similar documents shall be filed with the Chief Clerk of the Commission and shall be served by the person filing same upon all parties to the proceeding and upon Staff and the Hearing Examiner, if any, and, when filed, shall be accompanied by proof of service upon all parties. In addition, any person filing a petition under Section 8-406 of the Public Utilities Act [220 ILCS 5/8-406] for a certificate of public convenience and necessity to serve as a water or sewer public utility shall serve a written copy of the petition on each municipality which is located partly or wholly within the area proposed to be certificated, or whose corporate boundary lies within 1½ miles of such area.

c) Service of paper documents. Except as otherwise provided in this Subpart, Subpart F, or by the Commission or the Hearing Examiner, service of paper documents shall be made by delivering in person or by depositing in the United States mail, properly addressed with first class postage prepaid, or by depositing with a private express courier service, properly addressed with charges prepaid or payment arrangements made, one copy to each person entitled thereto. Service by mail is effective upon mailing; service by a private express courier service is effective upon delivery to the private express courier service. Service of petitions for interlocutory review shall be effective upon receipt by the party served. When Staff witnesses or any party or parties have appeared by an attorney, service upon the attorney shall be deemed service upon such persons. Notices under the ICTL shall be served as provided in Sections 18c-1801 and 18c-1802 of that statute [625 ILCS 5/18c-1801 and 18c-1802]. Service is effective on a public utility, telecommunications carrier, carrier under the ICTL or other entity regulated by the Commission, if mailed to the last address on file with the Commission. Except as otherwise provided by the Commission or the Hearing Examiner, whenever Staff or a party has the right or is required to do some act within a prescribed period after the service of a notice or other document upon Staff or the party, and the notice or other document is served upon Staff or the party by mail, four days shall be added to the prescribed period.

d) Proof of service of any paper document shall be by certificate of attorney, acknowledgement of receipt, or affidavit, except that proof of service on the Commission is made pursuant to Section 200.70.

e) In any proceeding involving more than four parties, the Chief Clerk shall prepare and disseminate to all parties a service list showing the name of each party and the names and addresses of each party's representatives entitled to service. Unless a party was unable to include an e-mail address pursuant to Section 200.100, 200.170, 200.200, or 200.540, service lists shall show the e-mail addresses of each party's representatives. Parties shall be required to update their service lists to insure the inclusion of all parties during the course of the proceeding. Updated service lists may be obtained from the Chief Clerk's office.

f) In any application, petition, or complaint that initiates a "Contested Case" or a "Licensing Proceeding" as defined in Section 200.40, the Commission shall serve notice. *The notice shall provide:*

1) *A statement of the time, place, and nature of the hearing;*

2) *A statement of the legal authority and jurisdiction under which the hearing is to be held;*

3) *A reference to the particular Sections of the substantive and procedural statutes and rules involved;*

4) *Except where a more detailed statement is otherwise provided for by law, a short and plain statement of the matters asserted, the consequences of a failure to respond, and the official file or other reference number;*

5) *The names and mailing addresses of the Hearing Examiner, all parties, and all other persons to whom the Commission gives notice of the hearing unless otherwise confidential by law.* [5 ILCS 100/10-25(a)]; and

6) A copy of the complaint, in proceedings initiated under Section 10-108 of the Public Utilities Act [220 ILCS 5/10-108]

g) The Commission shall serve the notice provided by subsection (f) by personal delivery or by mailing the notice in the United States mail in a sealed envelope with postage prepaid. The Commission may also serve, by electronic means, the notice provided for in subsection (f), provided that the subject line of the electronic message states "OFFICIAL COMMISSION NOTICE OF CASE OR PROCEEDING". Notice of any additional hearings or other notices mailed by the Commission shall be by regular United States mail or as otherwise provided by the Hearing Examiner.

h) A person filing an application under Section 8-406 of the Public Utilities Act for a Certificate of Public Convenience and Necessity to construct facilities upon or across privately owned tracts of land, or filing under Section 8-503 of that Act [220 ILCS 5/8-503], shall include with the application when filed with the Commission a list containing the name and address of each owner of record of the land as disclosed by the records of the tax collector of the county in which the land is located, as of not more than 30 days prior to the filing of the application. The Commission shall notify the owners of record of the time and place scheduled for the initial hearing upon the application. The foregoing provisions for notice to owners of record shall not be deemed jurisdictional and the omission of the name and address of an owner of record from the list or lack of notice shall in no way invalidate a subsequent order of the Commission relating to the application.

i) When a person files an application under Section 8-503 or 8-406 of the Public Utilities Act, the requirements of subsection (h) above shall apply only if the application requests a certificate of authority to construct particular facilities at specified locations and shall apply only with respect to the construction.

j) When a person files an application under both Section 8-406 of the Public Utilities Act and under the Gas Storage Act [220 ILCS 15], the utility's compliance with the notice requirements of the Gas Storage Act will be deemed to be in compliance with the requirements set forth in subsection (h) above.

k) Persons filing applications under the ICTL that are subject to the service and notice requirements of Section 18c-4201 of that Law [625 ILCS 5/18c-4201] shall comply with the requirements of that Section and the rules of the Commission issued under that Section.

l) Persons filing applications under the Illinois Commercial Relocation of Trespassing Vehicles Law who are subject to the service and notice requirement of Section 18a-400(c) of that Law [625 ILCS 5/18a-400(c)] shall comply with the requirements of that Section and the rules of the Commission issued under that Section.

m) Persons subject to the Electric Supplier Act [220 ILCS 30] shall comply with any and all service and notice requirements under that Act.

n) The Commission or the Hearing Examiner may require notice in addition to that set forth in this Section.

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