**Section 200.820 Hearing Examiner's Recommended or Proposed Order**

a) Proceedings under the Public Utilities Act.

1) *In any hearing, proceeding, investigation or rulemaking conducted by the Commission, the Commission, Commissioner or hearing examiner presiding, shall, after the close of evidentiary hearings, prepare a recommended or tentative decision, finding or order including a statement of findings and conclusions and the reasons or basis therefore, on all the material issues of fact, law or discretion presented on the record. Such recommended or tentative decision, finding or order shall be served* by the Chief Clerk of the Commission *on all parties who shall be entitled to a reasonable opportunity to respond thereto, either in briefs or comments otherwise to be filed or separately. The recommended or tentative decision, finding or order and any responses thereto, shall be included in the record for decision.* [220 ILCS 5/10-111].

2) Subsection (a)(1) applies only to those proceedings in which the decision is *adverse to a party to the proceeding other than the Agency* or in which a party or Staff requests that a recommended or tentative decision, finding or order be served based upon good cause shown. Good cause shall include, but not be limited to, a representation that issues that otherwise would have been contested have been resolved by agreement between two or more of the parties. [5 ILCS 100/10-45]

b) Other proceedings.

1) The Hearing examiner shall issue a proposed order in any "Contested Case" or "Licensing Proceeding" if the proposed order is adverse to any party in the proceeding.

2) The Commission may, upon its own motion, direct a Hearing Examiner to issue a proposed order in any other proceeding.

3) The proposed order shall be served on all parties and Staff witnesses by the Chief Clerk of the Commission.

(Source: Amended at 20 Ill. Reg. 10607, effective August 15, 1996)