**Section 1480.530 Administrative Citations**

a) Violations of the Act and this Part shall be enforceable by administrative citations under this Subpart or as otherwise provided by in the Act or this Part.

b) Upon issuance of an administrative citation for a violation of the Act or this Part, Commission staff shall serve, on the date of the violation or anytime thereafter, the administrative citation upon the person or entity or the person's or entity's authorized agent for service of process and shall include, at minimum, the following information:

1) Contact information of the alleged violator;

2) Location, time and date of the offense cited;

3) Statement specifying the provision of which the person was in violation;

4) Monetary penalty;

5) Signature of the Enforcement Officer or Investigator issuing the citation; and

6) Instructions for settling the citation or appearing at hearing.

c) Any person served with an administrative citation shall have 30 days from the date of service of the administrative citation to settle the matter for the minimum monetary penalty indicated for the offense cited on the administrative citation.

d) If a person served an administrative citation does not settle within 30 days from the service date of the administrative citation, the administrative citation shall constitute a complaint for civil penalties and this matter shall be set for a formal oral hearing before an Administrative Law Judge at a date, time and location to be specified by the Commission.

e) Respondent's failure to appear at the hearing set for the alleged violations at issue, shall constitute a waiver of respondent's right to appear to contest the alleged violations. The Administrative Law Judge shall rule on the alleged violations without further process.

f) Any party of record to the administrative citation hearing seeking appeal of the Administrative Law Judge's ruling shall file a motion to reopen and reconsider.

1) The motion must be filed via United States mail at the following address:

Illinois Commerce Commission

Processing Department

527 East Capitol Avenue

Springfield, Illinois 62701

2) The motion must set forth:

* + 1. Specific grounds and reasons for the motion;
    2. Specific issues for which the motion is sought;
    3. Brief statement of proposed additional evidence, if any, and an explanation why the evidence was not previously adduced; and
    4. Relief sought.

3) A motion alleging new facts shall be verified.

4) The Administrative Law Judge shall grant or deny the motion, in whole or in part. If Administrative Law Judge grants the motion in whole or in part, the matter shall be set for hearing at a time and date specified by the Commission.

g) A motion for rehearing pursuant to Section 160 of the Act, which shall constitute a final remedy in administrative citation matters before the Commission, shall be filed by any party of record to an administrative citation hearing seeking appeal of the Administrative Law Judge's ruling on a motion to reopen and reconsider or the Administrative Law Judge's ruling on a citation at a hearing held pursuant to subsection (f)(4).

1) The motion must set forth:

A) Specific grounds and reasons for the motion;

B) Specific issues for which rehearing is sought;

C) Brief statement of proposed additional evidence, if any, and an explanation why the evidence was not previously adduced; and

D) Relief sought.

2) A motion alleging new facts shall be verified.

3) The Commission shall grant or deny the motion, in whole or in part.

(Source: Amended at 38 Ill. Reg. 5821, effective March 14, 2014)