

WAC 246-10-70105 Requesting a clerical clarification or correction of an initial order. (1) Prior to an initial order becoming a final order, any party may file a request with the presiding officer who issued the initial order seeking clarification of a term of the initial order or correction of a clerical error.

(2) The request for clarification or correction must be filed and served on the opposing party within five days of the service of the initial order. The opposing party must respond within five days of service of the request for clarification or correction. Both parties must follow the service and filing requirements in WAC 246-10-109.

(3) Filing a request for clarification or correction of an initial order freezes the timelines for filing a petition for administrative review with the review officer.

(4) For purposes of this section:

(a) A clerical clarification is a request to clarify an unclear or ambiguous term of the initial order to facilitate implementation of the order and does not change the intent of the initial order.

(b) A clerical error is a mistake that when corrected does not change the intent of the initial order.

(5) The presiding officer corrects clerical errors in the initial order by entering and serving a second decision referred to as a corrected initial order.

(6) Nothing in this section affects a party's right to file a petition for administrative review of the initial order as allowed for under this chapter.

(7) The presiding officer's response to the request for clarification or correction, if the request is denied, must be part of the record on review.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-049, § 246-10-70105, filed 8/29/18, effective 9/29/18.]