

WAC 480-07-850 Reconsideration of a final order. (1) Petition.

Any party may petition for reconsideration of a final order within ten days after the commission serves the order.

(a) *Purpose.* The purpose of a petition for reconsideration is to request that the commission change the outcome with respect to one or more determinations in a final order.

(b) *Contents.* A petition for reconsideration must:

(i) Identify each portion of the challenged order the petitioner contends is erroneous or incomplete;

(ii) Site those portions of the record and each statute, commission rule, or other law on which the petitioner relies to support its petition; and

(iii) Present brief argument in support of the relief the petitioner requests.

(c) *Response.* No party may file a response to a petition for reconsideration unless the commission authorizes a response in a notice establishing the deadline for submitting responses, which may also establish the date by which the commission intends to enter an order resolving the petition. The commission will not grant a petition for reconsideration without providing other parties an opportunity to respond to the petition.

(d) *Oral argument.* The commission will not hear oral argument on a petition for reconsideration unless the commission determines in its discretion that oral argument will assist the commission in resolving the petition.

(2) **Disposition.** A petition for reconsideration is deemed denied twenty days after the date the petition is filed, unless the commission either:

(a) Enters an order resolving the petition; or

(b) Serves the parties with a written notice specifying the date by which the commission will act on the petition.

(3) **Action.** If the commission grants a petition for reconsideration, the commission may modify its prior order or take other appropriate action. If the commission denies the petition, the commission will take no further action in the matter with respect to the final order. No party may petition for reconsideration of an order on reconsideration.

(4) **Stay.** Filing a petition for reconsideration does not automatically stay the effect of an order or serve as a request for a stay. A party may request that the commission stay the effectiveness of an order pending reconsideration by filing a petition for stay pursuant to WAC 480-07-860.

(5) **Judicial review.** Filing a petition for reconsideration is not a prerequisite for seeking judicial review of a commission final order. If a party timely files a proper petition for reconsideration, the time for filing a petition for judicial review does not commence until the commission serves an order disposing of the petition for reconsideration, or the date on which the petition is deemed denied as a matter of law, as provided in RCW 34.05.470. An order denying reconsideration, or a notice specifying the date by which the commission will act on a petition for reconsideration pursuant to subsection (2)(b) of this section, is not subject to judicial review.

[Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 18-18-041 (Docket A-130355, General Order R-592), § 480-07-850, filed 8/29/18, effective 9/29/18; WSR 03-24-028 (General Order R-510, Docket No. A-010648), § 480-07-850, filed 11/24/03, effective 1/1/04.]