

5215.5350 PETITION TO VACATE A FINAL ORDER OF COMMISSIONER.

Subpart 1. **Filing.** A petition to vacate a final order of the commissioner must be filed with the board and a signed copy of the petition must be served on every party and intervenor within 30 days after service by mail of the order.

Subp. 2. **Response.** Within 20 days after being served with a copy of the petition, any party other than the petitioning party may file a response to the petition with the board. The response may include supporting affidavits.

Subp. 3. **Contents of the petition.** A petition filed under this part must set out the basis for the requested action consistent with Minnesota Statutes, section 182.664, subdivision 5. The showing of good cause as defined by Minnesota Statutes, section 182.664, subdivision 5, must be supported by affidavits.

Subp. 4. **Disposition.** The board may deny the petition or vacate the commissioner's order. The decision of the board must include findings of fact, conclusions of law, and an order. The board must sign and date the decision and serve the decision on all parties and intervenors.

Subp. 5. **Filing and service.** Filing and service of the petition must be made according to part 5215.0700.

Statutory Authority: *MS s 14.06; 175.171; 182.651; 182.661; 182.664*

History: *20 SR 2428*

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