

**Sec. 31-1-8a. Reconsideration**

(a) Unless otherwise provided by law, a party in a contested case may, within fifteen days after the personal delivery or mailing of the final decision, file a petition for reconsideration of the decision on the ground that: (1) An error of fact or law should be corrected; (2) new evidence has been discovered which materially affects the merits of the case and which for good reasons was not presented in the agency proceeding; or (3) other good cause for reconsideration has been shown. Within twenty-five days of the filing of the petition, the agency shall determine whether reconsideration is appropriate. The failure of the agency to make that determination within twenty-five days of such filing shall constitute a denial of the petition. If the agency determines that reconsideration is appropriate, the agency shall proceed in a reasonable time to conduct such additional proceedings as may be necessary to render a decision modifying, affirming or reversing the final decision of the agency.

(b) On a showing of changed conditions, the agency may reverse or modify the final decision, at any time, at the request of any person or on the agency's own motion. The procedure set forth in sections 31-1-1 through 31-1-8, inclusive, of these regulations for contested cases shall be applicable to any proceeding in which such reversal or modification of any order is to be considered. The party or parties who were the subject of the original order, and all other interested persons, shall be notified of the proceeding and shall be given the opportunity to participate in the proceeding. Any decision to reverse or modify a final decision shall make provision for the rights or privileges of any person who has relied on such final decision.

(c) The agency may, without further proceedings, modify a final decision to correct any clerical error. A person may appeal that modification under the provisions of section 4-183 or, if an appeal is pending when the modification is made, may amend the appeal.

(Effective February 2, 1990)