

199—42.20(17A,476) Answer. Upon receipt of a complaint filed pursuant to subrule 42.18(1), or a petition for relief filed pursuant to subrule 42.18(2), the railroad or public utility must file an answer with the board. The railroad or public utility must serve the answer upon the other railroad or public utility involved and the consumer advocate, either in person or by overnight delivery, on the same day the answer is filed with the board. The answer must be filed within ten days of the date of service of the complaint or petition.

42.20(1) The answer must be in writing and must include the following, at a minimum:

- a.* The name, address, telephone number, and contact person for the respondent and the respondent's attorney, if any;
- b.* An admission or denial of each allegation in the petition;
- c.* A statement of the respondent's position and a detailed discussion of the facts that support the respondent's position, including a description of the issues involved, the resolution or relief requested, and the facts supporting the resolution or relief requested;
- d.* A description of the attempts made to informally resolve the complaint or the issues involved in the petition;
- e.* All documentation relied on to support the facts alleged in the answer and the requested resolution or relief; and
- f.* A statement that the answer was served on petitioner or complainant and the consumer advocate, the method of service, and the date served.

42.20(2) Failure to file a timely answer may be deemed a default and, upon motion and absent objection by the consumer advocate, the resolution or relief requested by the moving party may be granted. On motion and for good cause shown, the presiding officer may set aside a default order. The motion to set aside must be filed promptly, and in no case more than ten days after issuance of the default order.