**74:09:01:01.  Petition to initiate contested case.** In order to request a contested case hearing, a person shall file a petition which contains the following information with the department pursuant to the requirements of § 74:09:01:07:

(1)  A statement of the petitioner's interest in the involved matter;

(2)  A statement of the departmental recommendation contested, if any, and the relief and decision requested from the board;

(3)  A statement alleging the relevant facts and issues known to the petitioner upon which the contest or request of the board is based;

(4)  A statement of the legal authority and jurisdiction under which the hearing would be held, if known;

(5)  A reference to the particular statutes and rules involved, if known; and

(6)  The signature of the petitioner or the petitioner's attorney.

The petitioner shall serve a copy of the petition upon all known persons affected by the request who shall be considered parties to the proceeding.

**Source:** 14 SDR 50, effective October 4, 1987; 23 SDR 31, effective September 8, 1996.

**General Authority:** SDCL 34A-1-6, 34A-6-1.6, 34A-6-1.14, 34A-11-9, 45-9-13.

**Law Implemented:** SDCL 1-26-17, 1-26-27, 34A-1-43.