

The findings of fact shall consist of a concise statement of the conclusions upon each contested issue of fact.] A FINAL DECISION OR ORDER ADVERSE TO A PARTY IN A CONTESTED CASE SHALL BE IN WRITING OR STATED IN THE RECORD. A FINAL DECISION SHALL INCLUDE FINDINGS OF FACT AND CONCLUSIONS OF LAW, SEPARATELY STATED. FINDINGS OF FACT, IF SET FORTH IN STATUTORY LANGUAGE, SHALL BE ACCOMPANIED BY A CONCISE AND EXPLICIT STATEMENT OF THE UNDERLYING FACTS SUPPORTING THE FINDINGS. IF, IN ACCORDANCE WITH AGENCY RULES, A PARTY SUBMITTED PROPOSED FINDINGS OF FACT, THE DECISION SHALL INCLUDE A RULING UPON EACH PROPOSED FINDING. A copy of the decision and order and accompanying findings and conclusions shall be delivered or mailed promptly to each party or to his attorney of record.

254A.

(A) ANY PERSONS, INCLUDING AN AGENCY HEAD, NOT AUTHORIZED TO PARTICIPATE IN THE DECISIONAL PROCESS OF A CONTESTED CASE SHALL NOT COMMUNICATE EX PARTE WITH THE HEARING OFFICER, OR ANY OTHER AGENCY OFFICIAL OR EMPLOYEE INVOLVED IN THE DECISIONAL PROCESS OF THAT CASE REGARDING ANY ISSUE OF FACT OR LAW IN THE CASE. THE HEARING OFFICER OR AGENCY OFFICIALS MAY COMMUNICATE WITH MEMBERS OF AN ADVISORY STAFF, INCLUDING ANY AGENCY LEGAL COUNSEL, WHO DO NOT OTHERWISE PARTICIPATE IN THE PROCEEDING.

(B) A HEARING OFFICER, OR AGENCY OFFICIAL OR EMPLOYEE INVOLVED IN THE DECISIONAL PROCESS OF A CONTESTED CASE WHO ~~RECEIVES~~ IS PERSONALLY AWARE OF AN EX PARTE COMMUNICATION IN VIOLATION OF SUBSECTION (A) SHALL PLACE ON THE RECORD ALL WRITTEN COMMUNICATIONS RECEIVED, A MEMORANDUM STATING THE SUBSTANCE OF ALL ORAL COMMUNICATIONS RECEIVED, ALL WRITTEN RESPONSES TO THE COMMUNICATION, AND A MEMORANDUM STATING THE SUBSTANCE OF ALL ORAL RESPONSES MADE AND SHALL SEND COPIES OF SUCH COMMUNICATIONS, MEMORANDA, AND RESPONSES TO ALL PARTIES. ANY PARTY DESIRING TO REPEAL THE EX PARTE COMMUNICATION SHALL BE ALLOWED TO DO SO UPON REQUEST WITHIN TEN DAYS AFTER NOTICE OF THE COMMUNICATION. THE HEARING OFFICER MAY, IF HE DEEMS IT NECESSARY TO ELIMINATE THE EFFECT OF A PROHIBITED EX PARTE COMMUNICATION: (1) WITHDRAW FROM THE PROCEEDING; OR (2) TERMINATE THE PROCEEDING WITHOUT PREJUDICE. WHENEVER THE HEARING OFFICER TERMINATES A PROCEEDING WITHOUT PREJUDICE, THE ORDER TERMINATING THE PROCEEDING SHALL SPECIFY THE DATE BY WHICH THE PROCEEDING MAY BE REINSTITUTED.

255.

(C) THE FILING OF THE PETITION DOES NOT ITSELF STAY ENFORCEMENT OF THE AGENCY DECISION. EXCEPT AS OTHERWISE PROVIDED BY LAW, THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON APPROPRIATE TERMS.

[(e)] (D) If, before the date set for hearing, application is made to the court for leave to present additional evidence on the issues in the case, and it is shown to the satisfaction of the court that the additional