**Section 125.204 Agency Recommendation**

a) If the Agency receives a tax certification application under Section 125.202 of this Subpart, the Agency must file a recommendation on the application with the Clerk, unless the applicant withdraws the application. The Agency's filing must:

1) Identify the name and address of the applicant;

2) Identify the location of the facility or portion thereof or the device to which the recommendation applies;

3) Identify the facility or portion thereof or the device to which the recommendation applies;

4) Recommend that the Board issue or deny tax certification; and

5) Set forth the Agency's reasoning for the recommendation.

b) If the Agency recommends that the Board deny tax certification, the Agency's filing must state that the applicant has 35 days after service of the recommendation to file a petition with the Board to contest the Agency recommendation. If the Agency recommends that the Board deny tax certification due to informational deficiencies in the application, the Agency's filing must identify the types of information needed to correct the deficiencies.

c) The Agency must serve the applicant with a copy of the filing under this Section.

(Source: Amended at 41 Ill. Reg. 10182, effective July 5, 2017)