

APPEAL NO. 020889
FILED MAY 21, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On March 18, 2002, a Texas Workers' Compensation Commission (Commission) employee, who is not a hearing officer, issued a Commission Order for Attorney's Fees (Order), covering services for the period from January 30, 2002, through March 4, 2002, approving a total fee of \$2,220.00, rather than the \$3,600.00 requested. The appellant (attorney) appeals, contending that the Commission employee erred in denying the requested amounts. The appeal file contains no response from the carrier or the claimant.

DECISION

Because the Order was not entered by a hearing officer, no jurisdictional basis exists for our review. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 152.1 (Rule 152.1). Rule 152.3(d) requires that any party who wants to contest fees fixed and approved by the Commission request a "benefit contested case hearing [CCH]." The only exception is Rule 152.3(e), which provides: "[a]n attorney, claimant, or carrier who contests the fee ordered by a hearing officer after a benefit [CCH] shall request review by the appeals panel pursuant to the provisions of §143.3" As the Order in this case was not issued by a hearing officer, the Appeals Panel lacks jurisdiction to review the disputed attorney's fees.

The true corporate name of the insurance carrier is **INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE CORPORATION
800 BRAZOS
AUSTIN, TEXAS 78701.**

Roy L. Warren
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Robert W. Potts
Appeals Judge