

APPEAL NO. 022022
FILED SEPTEMBER 23, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 12, 2002. The matter under appeal involves the denial of some attorney's fees/expenses claimed by the appellant (attorney), who represented respondent 1 (carrier). The hearing officer who approved the fee application was not the hearing officer who heard the CCH. There is no response in the file from the carrier or respondent 2 (claimant).

DECISION

Reversed and rendered.

After reviewing the file, we agree that the hearing officer abused her discretion by disallowing the attorney \$162.95 as an allowable expense. The Texas Workers' Compensation Commission rules allow reimbursement of travel expenses "at the rate set for state employees by the legislature in the General Appropriations Act" for travel in excess of 25 miles. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE §152.5(b)(1) (Rule 152.5(b)(1)). The claimed expense does not appear to violate guidelines as stated by the hearing officer. Therefore, we reverse and render a decision that the amount of \$162.95 for travel expenses is approved.

The true corporate name of the insurance carrier is **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Susan M. Kelley
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Michael B. McShane
Appeals Judge