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In the Matter of the Compensation of  
**MICHAEL J. TERLESKI, Claimant**  
WCB Case Nos. 08-02796, 08-02318  
**ORDER ON RECONSIDERATION**  
Guinn & Munns, Claimant Attorneys  
Julie Masters, SAIF Legal, Defense Attorneys

Reviewing Panel: Members Langer and Biehl.

On May 1, 2009, we withdrew our April 10, 2009 order that: (1) reinstated an Order on Reconsideration's permanent disability award of 27 percent whole person impairment for claimant's bilateral wrist condition, whereas an Administrative Law Judge's (ALJ's) order had awarded 10 percent whole person impairment; and (2) awarded claimant's counsel a carrier-paid attorney fee for services rendered at hearing. We took this action to consider the SAIF Corporation's contention that we are not authorized to award a carrier-paid attorney fee under ORS 656.382(2) for claimant's counsel's services at the hearing level for ultimately successfully defending against SAIF's hearing request contesting the Order on Reconsideration's permanent disability award. Having received claimant's response and SAIF's reply, we proceed with our reconsideration.

In *Crystal L. DeLeon*, 61 Van Natta \_\_\_ (issued this date), we addressed the identical arguments raised in SAIF's motion for reconsideration. Consistent with the reasoning expressed in *DeLeon*, we are statutorily authorized to award a carrier-paid attorney fee under ORS 656.382(2) for claimant's counsel's services rendered at the hearing level.

Accordingly, on reconsideration, as supplemented, we republish our April 10 order. The parties' 30-day rights of appeal shall begin to run from the date of this order.

**IT IS SO ORDERED.**

Entered at Salem, Oregon on July 8, 2009