



California Public  
Utilities Commission

# Monthly Activity Report

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CONSUMER PROTECTION AND  
ENFORCEMENT DIVISION

February 2024

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# TRANSPORTATION LICENSING AND ANALYSIS BRANCH (TLAB)

TLAB’s Licensing Section analyzes applications from carriers, issues permits and certificates to carriers that meet state requirements, writes proposed decisions to approve or deny carriers’ CPCN applications, manages changes to carrier operations, communicates with carriers, and tracks carrier compliance with permit requirements. TLAB’s Analysis Section functions as the Commission’s subject matter expert on policy matters, providing technical and advisory support to commissioners, administrative law judges, and all levels of agency management on transportation matters.

## Processing Carrier Applications

TLAB’s Transportation Licensing Section is processing and managing applications for over 7,400 carriers throughout California. Items processed in February 2024 include applications, vehicle and driver updates, vehicle safety inspection results, and other requests. This work is accomplished through the CPUC Transportation Carrier Portal (TCPortal), an online system that allows carriers to submit applications and other requests electronically and make payments online. The TCPortal tracks certain licensing activities as shown in the following tables and figures.

Figure 1. Total Permits & Certificates

**Total Permits and Certificates.** Figure 1 shows the total number of operating authorities (active and suspended) by month.

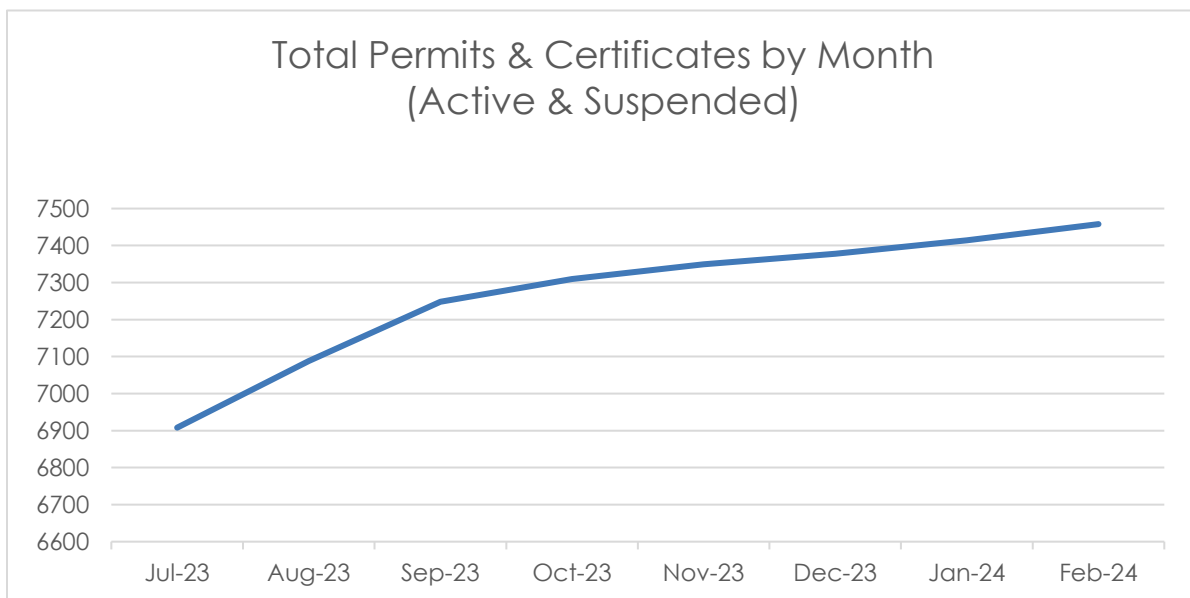


Table 1. Permits and Certificates by Category

**Permits and Certificates by Category.** The Commission grants permits and certificates for five categories of transportation carriers. Table 1 shows total numbers for those categories in the current month.

Carrier Type	Current Total
Transportation Charter Party	7,320
Passenger Stage Corporation	104
Vessel Common Carrier	16
Transportation Network Company	18
Autonomous Vehicle	6

Figure 2. Monthly Completions of Permit Categories

**Monthly Completions of Permit Categories.** In addition to new applications for operating authorities, TLAB processes refile applications, transfer applications, and renewal applications. Figure 2 shows the application numbers of each category completed by month.

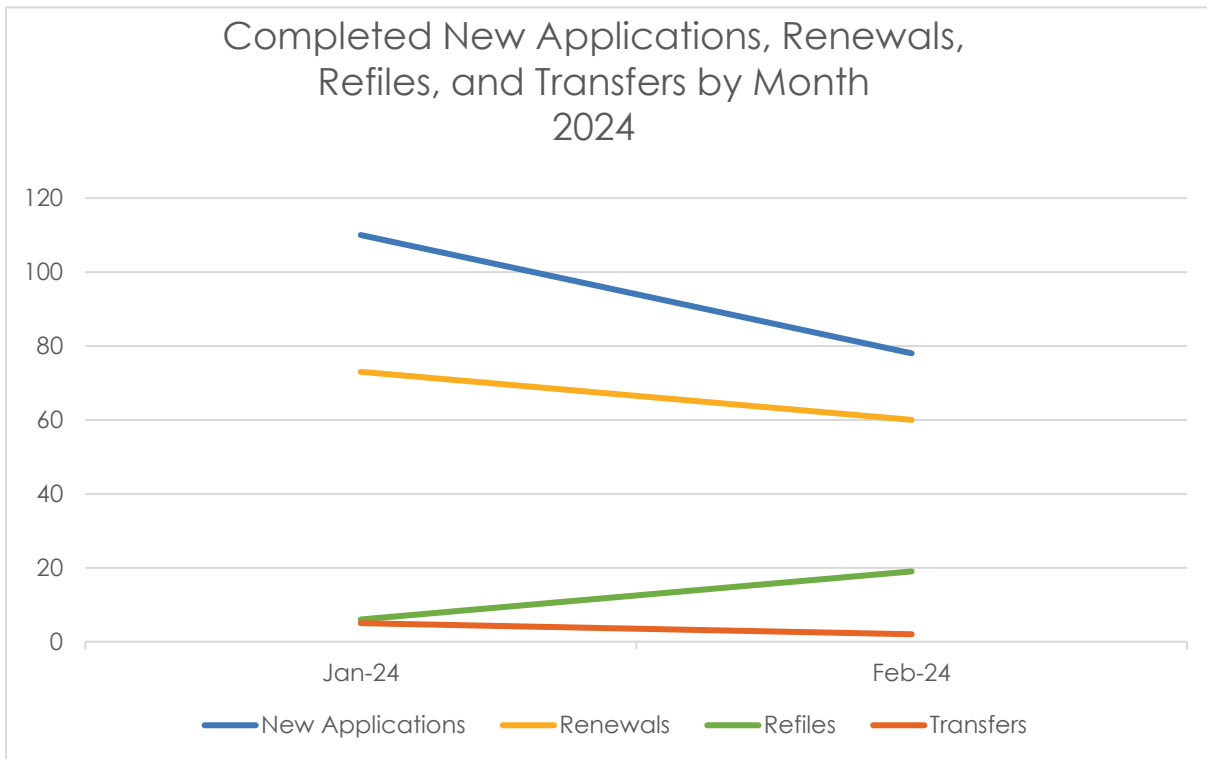


Figure 3. Suspensions and Revocations by Month

**Suspensions and Revocations.** Carriers can be suspended or revoked for various reasons such as failing to maintain active insurance or to file annual or quarterly PUCTRA statements. Carriers may also voluntarily suspend operations. Figure 3 shows both types of suspensions/revocations by month.

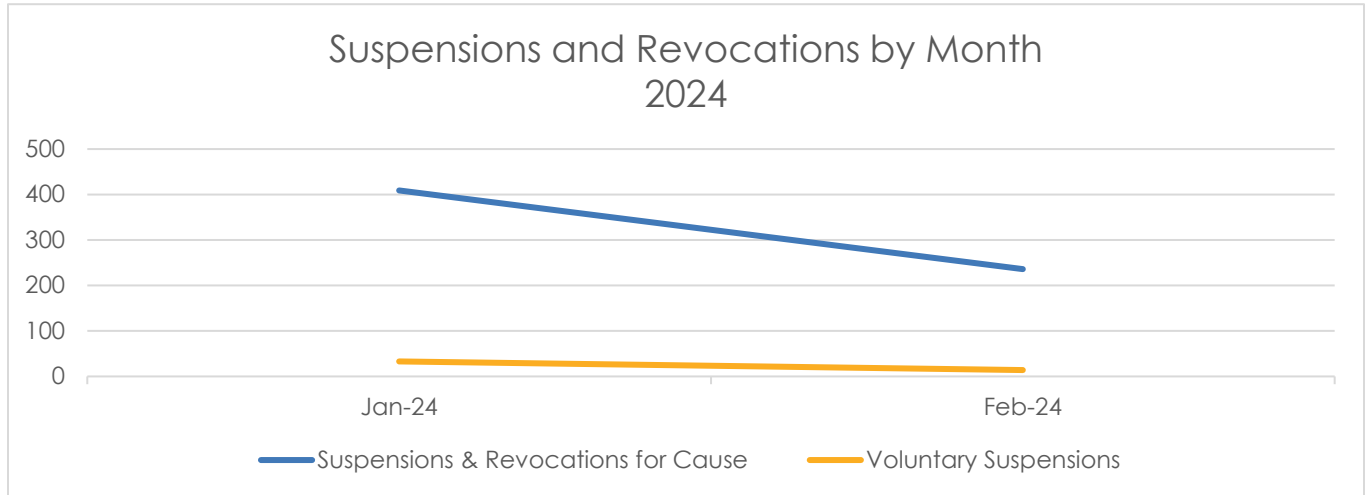
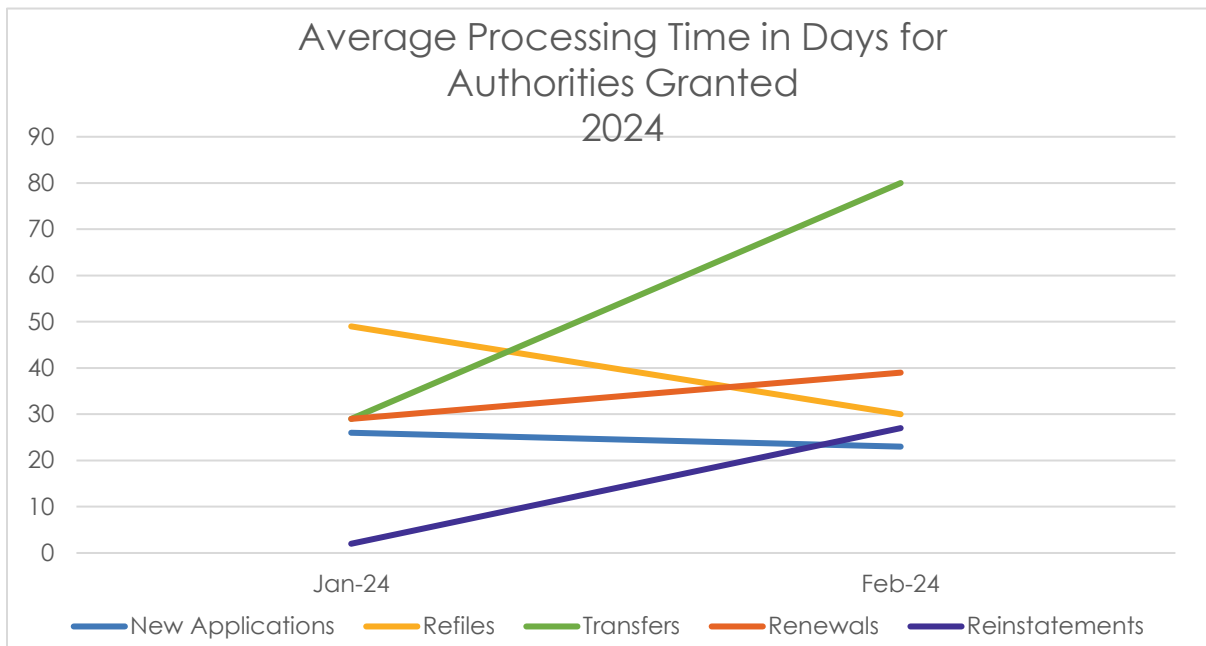


Figure 4. Average Processing Times

**Average Processing Times.** The total time to process an application, from initial receipt to issuance or denial of a permit or certificate, depends on internal processing time and on the time for external entities to provide necessary information. Upon receipt of applications, CPUC staff review them for completeness and issue deficiency notices to carriers for any outstanding items.

Examples of these items include evidence of insurance coverage filed by the carrier’s insurance provider; evidence of compliance with drug and alcohol testing requirements; and inspection by the California Highway Patrol for modified limousines and vehicles with a seating capacity of 11 or more. Figure 4 shows the average total processing time for the major categories of permits and certificates processed by TLAB.



## Docket Activity

**Current Policy Proceedings.** The Transportation Analysis Section supports three current proceedings. R.12-12-011 develops regulations relating to transportation network companies and autonomous vehicles. R.19-02-012 implements Senate Bill 1376, incentivizing transportation network companies to provide on-demand service for persons with disabilities, including wheelchair users who need a wheelchair accessible vehicle. R.21-11-004 implements the California Clean Miles Standard and Incentive Program, enacted through Senate Bill 1014, requiring the California Air Resources Board and the Commission to jointly work to lower greenhouse gas emissions from transportation network companies.

- 1) [R.12-12-011](#) / TNC Rulemaking / Mason & Chiv / Shiroma

- a) D.23-12-015 was issued on December 14, 2023 and requires TNCs to submit their annual reports for 2014-2019 to the Commission with limited redactions. However, this decision was stayed on February 15 following a request from Lyft in connection with their Application for Rehearing.
  - b) **Order to Show Cause.** On December 1, the Joint Assigned Commissioners and Assigned Administrative Law Judges issued a ruling ordering Cruise to show cause why it should not be sanctioned by the Commission for failing to provide complete information and for making misleading public comments regarding a pedestrian collision on October 2, 2023 and its subsequent interactions with the Commission. In response to an email request from Cruise, the assigned ALJ extended Cruise’s deadline to provide a response by January 12, 2024. Cruise responded with a Motion for Settlement which was discussed at an ALJ hearing on February 6.
- 2) [R.19-02-012](#) / **TNC Access Rulemaking / Chiv / Shiroma**
- c) No docket activity.
- 3) [R.21-11-014](#) / **Clean Miles Standard / Wang / Shiroma**
- d) Comments and replies were filed on the Phase 1 proposed decision on February 9 and 14, respectively.

**Applications for Rehearing of Autonomous Vehicle Resolutions.** On September 14, the City and County of San Francisco filed applications for rehearing of two resolutions authorizing Cruise and Waymo to expand driverless passenger service; A.23-09-015 (Waymo Resolution TL-19144) was denied on November 8 and A.23-09-014 (Cruise Resolution TL-19145) is still pending.

**Carrier Application Proceedings.** The Transportation Licensing Section assists the Commission in the regulation of Passenger Stage Corporations and Vessel Common Carriers. Passenger Stage Corporations (PSCs) are carriers that transport passengers between points on an individual fare basis. Examples are fixed-route bus services and “share-the-ride” airport shuttle services. Vessel Common Carriers (VCCs) are carriers that transport persons or property between points in the State. Examples are commute ferry services in the San Francisco Bay and services between California mainland points and Catalina Island. PSCs and VCCs are common carriers and must file requests with the Commission through a formal process. Both carrier types require a “certificate of public convenience and necessity” (CPCN) from the Commission for the authority to operate in California.

- **A.23-05-006** / Application of STAR & CRESCENT BOAT COMPANY (VCC-63), doing business as FLAGSHIP CRUISES & EVENTS, for a Passenger Fare Increase and Authority to Establish a Zone of Rate Freedom for its Vessel Common Carrier Service on San Diego Bay Between the City of Coronado and the City of San Diego. / **02/15/24 Decision (D.)24-02-016 adopted granting the Application.**
- **A.23-07-003** / Application of Tideline Marine Group, Inc. (VCC-93) to Discontinue Scheduled and Unscheduled Service. / **02/20/2024 Scoping Ruling issued.**

- **A.23-07-009** / In the Matter of the Application of: THE SONOMA COUNTY AIRPORT EXPRESS, INC. (PSC-1120) to modify Applicant's existing Certificate of Public Convenience and Necessity (CPCN) to abandon service between hotels in Sonoma County and wineries located in Santa Rosa, Kenwood and Geyserville. / **02/26/2024 Scoping Ruling issued.**
- **A.23-11-013** / Application of Avalon Freight Services LLC (VCC-91) For Authorization to Modify Rates for Its Scheduled Vessel Common Carrier Freight Service Between the Port of Los Angeles, California on the one hand, and Avalon on Santa Catalina Island on the other hand. / **02/28/2024 Scoping Ruling issued.**
- **A.24-02-006** / Application of AMC Bus, Inc., dba Limousines, for authority to operate as a scheduled passenger stage corporation between points in the Counties of San Diego, Riverside, Orange, Los Angeles, San Bernardino, Kern, Tulare, Fresno, Madera, Merced, Stanislaus, San Joaquin, Sacramento, Santa Barbara, San Luis Obispo, Monterey, San Benito, and Santa Clara and to establish a Zone of Rate Freedom (ZORF) fare structure. / **02/21/2024 Application filed.**

## Joint Agency Collaboration/Outreach/Training

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**Joint Agency Collaboration.** Information sharing and collaboration with other transportation agencies is a critical part of TLAB's work.

- Bi-monthly TLAB Staff and CARB Staff coordination meeting on the Clean Miles Standard
- Monthly TLAB and Department of Motor Vehicles Autonomous Vehicles meeting
- Monthly TLAB Meeting w/ California Highway Patrol

**Outreach and Education.** TLAB provides outreach and education to potential and current carriers through presentations on application fundamentals at venues such as SFO and LAX, and attendance at functions sponsored by transportation-related organizations such as the Greater California Livery Association and the California Bus Association.

**Training.** TLAB managers and staff regularly attend all trainings required by the Commission, as well as trainings for developing work skills and industry-specific trainings. For example:

- New Employee Training
- Supervisory Development Training
- Cybersecurity Training
- Harassment Prevention and Diversity and Bias Awareness Training
- Leadership Training



# TRANSPORTATION ENFORCEMENT BRANCH (TEB)

The Transportation Enforcement Branch (TEB) regulates Charter-Party Carriers of Passengers (TCP) (e.g., limousines, airport shuttles, chartered and scheduled bus operators, Transportation Network Companies (TNC) and vessels in California to safeguard the public by ensuring compliance with Commission General Orders (GO), Public Utilities (PU) Codes, and other applicable laws and regulations. TEB conducts our core safety assurance through compliance inspections, investigations, and enforcement activities. TEB promotes safety by conducting outreach activities for passenger carriers, training for law enforcement on applicable General Order regulations, and reviews all public complaints that it receives.

Consistent with the Commission’s Strategic Directives<sup>1</sup> and Enforcement Policy,<sup>2</sup> TEB developed and utilizes a Safety Management System that is implemented through the following pillars: Transportation Safety Assurance, Transportation Risk Management, and Transportation Safety Promotion.

## Transportation Safety Management System

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TEB reports the following progress for February 2024 for the following program elements.

**Transportation Safety Assurance** – Assuring the Commission’s regulated entities comply with the law and have sufficient training and resources to ensure the safety of the public, their workers, and the environment. For TEB, this includes Investigations, Field Operations, and related Enforcement Activities.

- Transportation enforcement field activities:
  - » Napa
  - » Sacramento
  - » Goleta
  - » Temecula
  - » Oakland
- Formal Enforcement Proceedings:  
I.21-12-001/Uber Technologies, Inc., and Uber Black Sub-carriers/ALJ Lirag/Commissioner Baker. On December 2, 2021, the Commission opened an Order Instituting Investigation (OII) to determine

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<sup>1</sup> [CPUCs Strategic Directives \(ca.gov\)](#)

<sup>2</sup> [CPUC Adopts Enforcement Policy to Promote Maximum Compliance, Transparency, and Public Safety](#)

whether passenger carriers violated any provisions of the Public Utilities Code or other applicable rules and regulations. The statutory deadline in this proceeding has been extended to September 30, 2024.

» On December 11, 2023, the case was reassigned to ALJ Rafael L. Lirag.

» No update for February 2024

- **Transportation Safety Complaint Referrals:**

Effective June 16, 2023, the Consumer Affairs Branch (CAB) is responsible for all transportation-related complaints. CAB now processes transportation complaints, maintains consumer complaint statistics, and refers complaints that require further investigation to TEB. For the month of February 2024, TEB received a total of 7 complaints from CAB and other sources:

Table 2. Transportation Safety Complaint Referrals

Complaints Referred By	Received in February
CAB	4
Transportation Licensing and Advisory Branch (TLAB)	1
Safety Enforcement Division (SED) Whistleblower	2

**Transportation Risk Management** – Continually identifying, assessing, and reducing operational risks through mitigation measures faced or posed by the entities the CPUC regulates. Continued monitoring of information, including but not limited to data obtained from field enforcement operations for emerging trends and any associated risks above the risk tolerance level.

- Prepare Risk Assessment Report for the fourth quarter of 2023.

**Transportation Safety Promotion** – Supporting efforts to assure that the public and regulated transportation entities can make informed choices and know how to respond to unsafe situations. For TEB, this includes Training and Education, Outreach Efforts with Industry and Law Enforcement, and Commission Engagement.

- Sonoma County Airport (STS) Training on February 7, 2024.
- Greater California Livery Association Meeting on February 20, 2024.
- 2024 Industry Day, California Highway Patrol (CHP) on February 28, 2024.

Table 3. TEB Enforcement Activities<sup>3</sup>

12 Month Enforcement Activity	Jan 2024	Feb 2024	Mar 2024	April 2024	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Total
New Investigations	15	41											56
Investigations Completed	22	5											27
Investigations Open Longer than 6 Months	13	14											N/A
Cease and Desist Notices	5	12											17
Warning Letters	3	8											11
Citations	9	2											11
Vehicle Impounds	5	0											5

Table 4. TEB Fines Assessed from Investigations

Date	Citations/Fines
January 2024	\$98,000.00
February 2024	\$8,000.00
Cumulative 2024	\$106,000.00

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<sup>3</sup> Effective January 2024, TEB will submit data based on the calendar year.

Table 5. Citation Appeal Proceedings

Docket No.	Entity	Status
K.22-11-012	Edwin Torres, North Hollywood, unlicensed (PSG-5685)	Citation T.22-10-001 served October 24, 2022. Appeal Filed November 10, 2022. On February 7, 2023, CPED attended an ADR/Mediation, but CPED subsequently decided to withdraw from any further mediation sessions (we are waiting for an appeal hearing date to be scheduled). ALJ: Andrew Dugowson (Assigned on Feb 21, 2024).
K.23-04-007	Lkhavasuren Dulmaa, Moraga, unlicensed. (PSG 5804)	Citation T.23-02-002 for \$2,000 served on February 16, 2023. Appealed on April 12, 2023. ALJ Sumner Matthews assigned case on April 18, 2023. On October 11, 2023, ALJ Matthews will send both parties motion to jointly withdraw citation. Awaiting document from ALJ Matthews. No update for February 2024.
K.23-12-007	Sierra Bravo Enterprises LLC dba Jump on The School Bus, Gavito (TCP 28446) PSG-5884	Appeal filed December 01, 2023; Administrative Law Judge Minh LeQuang has been assigned. ALJ: Minh LeQuang (Assigned Dec 19, 2023) COMMISSIONER: (Assigned Dec 19, 2023). Status conference was held on February 13, 2024.
K.23-12-016	Thorne Transportation Services (PSG-5955)	Appealed filed on December 22, 2023. ALJ: Rajan Mutialu (Assigned Jan 8, 2024). Commissioner: (Assigned Jan 8, 2024). PHC scheduled Mar 26, 2024, at 10:00 AM.

Table 6. TEB Field Operations – Total Vehicles Observed<sup>4</sup>

Month	Transportation Charter-Party (TCP)	Transportation Network Companies (TNC)	Passenger Stage Corporations (PSC)
January 2024	33	51	0
February 2024	22	7	1

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<sup>4</sup> Effective January 2024, TEB will submit data based on the calendar year.

Table 7. Joint Operations with Law Enforcement Agencies

Agency	Operation
Napa District Attorney's Office	TCP passenger carrier operation in Napa.

## UTILITIES ENFORCEMENT BRANCH (UEB)

UEB protects California utility consumers from fraud and abuse by developing enforcement mechanisms and ensuring service providers comply with consumer protection laws and regulations. UEB investigates alleged violations by utilities, including communications (both wireline and wireless), energy (both electric and gas), and water companies. When sufficient evidence of violation is uncovered, UEB brings cases before the Commission to seek appropriate penalties and remedies for consumers.

### Monthly Highlights

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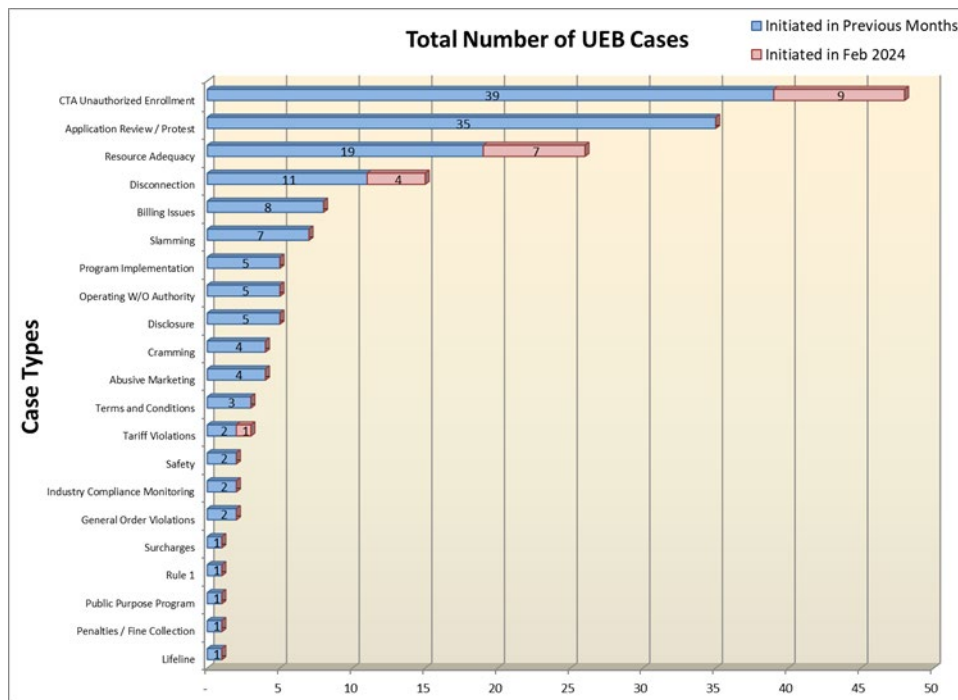
- Desert Community Energy (DCE) RA Citation Appeal (K.23-05-017):** On February 2, 2024, CPED filed its reply brief arguing that DCE has not met its burden of proof for procurement impossibility. On February 14, 2024, ALJ Chiv issued an email ruling directing CPED to provide unredacted versions of attachments to the Prepared Testimony of Vicky Zhong. On February 15, 2024, CPED informed ALJ Chiv that the information was already redacted when DCE provided the information to CPED. On February 16, 2024, ALJ Chiv directed DCE to file and serve a response affirming the basis for the redactions. On February 26, 2024, DCE filed its response to the ALJ's February 16, 2024 ruling.
- Desert Community Energy (DCE) RA Citation Appeal (K.24-01-013):** On February 2, 2024, CPED filed its compliance filing.
- Desert Community Energy (DCE) RA Citation Appeal (K.24-02-001):** On February 2, 2024, DCE filed a Notice of Appeal from Citation E-4195-0157 issued by CPED on January 3, 2024 in the amount of \$124,408.80. On February 16, 2024, CPED filed its compliance filing.
- Shell Energy North America (SENA) RA Citation Appeal (K.21-11-018):** On February 5, 2024, CPED filed its reply briefs arguing that SENA has not met its burden of proof that it was impossible for it to meet its RA obligations.
- Foothill Education Technology Partnership (FETP) Administrative Enforcement Order (AEO):** On February 13, 2024, FETP requested a hearing on the AEO claiming the request is based on numerous factual and legal errors. On February 14, 2024, the Docket Office assigned a Docket Number H.24-02-005 to the request for hearing. On February 20, 2024, ALJ Gerald Kelly was assigned to the hearing. On February 23, 2024, FETP filed a motion requesting for reassignment of ALJ Kelly on peremptory challenge in this proceeding. On February 27, 2024 CPED filed its compliance filing. On February 28, 2024, Chief ALJ issued a ruling denying FETP's request for reassignment on peremptory challenge.
- Silicon Valley Clean Energy Authority (SVCEA) RA Citation Appeal (K.23-11-015):** On February 16, 2024, CPED and SVCEA filed a joint response to the questions in ALJ Goldberg's January 19, 2024 ruling.
- TelAgility Corp (TEL-749):** On February 29, 2024, TelAgility Corp submitted a payment in the amount of \$3,000 for a citation issued against the company for its failure to report and remit public

program surcharges. CPED investigated TelAgility for its failure to pay the outstanding citation amount, and assisted CD in the collection of the penalty owed.

## Key Activities

UEB is working on a total of 179 cases. Investigations center primarily on CTA Unauthorized Enrollment, Application Review/Protest and Resource Adequacy (RA). UEB’s cases come from a variety of sources, with Inter-Division referrals and UEB’s own scanning activities playing key roles.

Figure 5. UEB Total Number of Cases by Type as of February 29, 2024



## Citations/Fines/Reparation

In the month of February 2024, UEB issued one CTA citation in the amount of \$1,000. CPED assisted CD in the collection of \$3,000 in unpaid citation penalty.

Cumulative 2024 fines, reparations and penalties imposed are shown below.

Table 8. UEB Fines, Reparations, and Penalties

Date	Citations/Fines/Reparation
January 2024	\$624,688
February 2024	\$4,000
Cumulative 2024	\$628,688

- Resource Adequacy (RA) Citation Program:** UEB issues citations and levies fines to enforce Load Serving Entities’ (LSE) compliance with system, local, and flexible resource adequacy requirements pursuant to Resolution E-4195, as modified by Decisions 10-06-036, Decisions 10-06-038, 11-06-022, 14-06-050, 19-06-026, 20-06-031, 21-06-029, 22-06-050 and 23-06-029. In February 2024, UEB received payment for a citation in the amount of \$491,678.40 and one Notice of Appeal (K.24-02-001) for citations E-4195-0157.
- Disconnection Citation Program:** UEB issues citations to enforce compliance with the disconnections-related consumer protection rules in D.20-06-003. This citation program is applicable to Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas), collectively referred to as California’s large investor-owned utilities (IOUs).
- Core Transport Agent (CTA):** UEB reviews CTA-related complaints received by the Commission to enforce compliance with the standards for verification of change in provider requirements in D. 18-02-002, and to identify acts constituting grounds for suspension or revocation of registration pursuant to Pub. Util. Code Section 983.5. On February 15, 2024, UEB issued Spark Energy Gas, LLC (Spark) Citation No. UEB-003-0189 in the amount of \$1,000. Spark's response is due on March 18, 2024.

In February, UEB reviewed 164 CTA-related complaints received by the Consumer Affairs Branch (CAB) in January 2024 and identified 41 needing investigation for potential unauthorized enrollment. Staff issued 8 data requests for proof of enrollment authorizations. UEB received proof of enrollment authorizations for 30 customers; 1 customer did not have sufficient information in the CIMS database to further investigate; 1 customer was not enrolled with the subject CTA. Currently, UEB has not yet received proof of enrollment authorization for all requested customers since the deadline to respond is March 7, 2024. Therefore, staff’s investigation for January is ongoing.

Table 9. UEB CTA-Related Complaints

	CTA-Related Complaints				
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Month Received	Total Reviewed	Unauthorized Enrollment	Data Requests Issued	Proof of Authorization Obtained	Citations Issued	Cease and Desist Letters Issued
February	164	41	8	30	0	0

## Compliance with Ordering Paragraphs

There were no new Ordering Paragraphs added to UEB’s COPS tracker for the month of February. UEB was responsible for 41 separate Ordering Paragraphs. As of February 2024, 41 of the Ordering Paragraphs (representing 100%) have been complied with, thus none are out of compliance.

Ordering Paragraphs related to UEB’s work are attributable to the imposition of fines, adoption of settlements, ordering of consumer refunds or reparation and other remedies and corrective actions, including reporting requirements, resulting from UEB’s investigations of violations of law and wrongdoing against consumers.

The numbers reported above tracks compliance with ordering paragraphs assigned to UEB and do not include tracking for compliance with payment of fines, penalties, surcharges, or the like, which are assigned to Fiscal Office under the COPs system. However, UEB staff also tracks such payments separately in our case management system and informs fiscal of any identified issues.

## UEB-Related Proceedings

Table 10. UEB-Related Proceedings

Proceeding	Description	ALJ	Commissioner
R.18-07-005	Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs.	Kelly	Houck
K.19-03-024	Appeal of San Jose Clean Energy to Citation E-4195- 0052 issued on February 27, 2019 by the Consumer Protection and Enforcement Division.	Kim	N/A

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K.21-11-018	Appeal of Shell Energy North America to citation E-4195-113 issued on October 21, 2021 by Consumer Protection & Enforcement Division.	Cai	N/A
K.22-05-017	Appeal of Orange County Power Authority to citation E-4195-116 issued on April 20, 2022 by Consumer Protection & Enforcement Division.	Petersen	N/A
K.23-05-017	Appeal of Desert Community to citation E-4195-133 issued on April 17, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
I.22-04-005	Order Instituting Investigation on the Commission’s Own Motion into MetroPCS California LLC Failure to Remit Prepaid Mobile Telephony Service Surcharges and User Fees	Mason	Houck
I.22-10-007	Order Instituting Investigation into the Operations and Practices of TC Telephone and Order to Show Cause to Determine Whether Respondents Violated the Laws, Rules, and Regulations Governing the California Universal LifeLine Program	Mason	Baker
A.22-11-011	Application of Kloud Communications, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Wilson	Shiroma
K.23-11-015	Appeal of Silicon Valley Clean Energy to citation E-4195-143 issued on October 27, 2023 by Consumer Protection & Enforcement Division.	Goldberg	N/A
K.24-01-013	Appeal of Desert Community Energy to citation E-4195-156 issued on December 20, 2023 by Consumer Protection & Enforcement Division.	Kelly	N/A
K.24-02-001	Appeal of Desert Community Energy to citation E-4195-157 issued on January 3, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
H.24-02-005	Request of FETP For Hearing on AEO for Violation of California Teleconnect Fund Program Rules.	Kelly	N/A

## Outreach/Training/Other Activities

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**State National Action Plan (SNAP):** On 2/15/24, the FCC discussed the recent updates to the Robocalling rules. This included an auditing program to return mismanaged or suspected robocalling using rented telephone numbers. Rule 47 CFR allows the FCC to work with states to eliminate this problem by eliminating these numbers.