



Consumer Protection and Enforcement Division



Monthly Activity Report October 2020

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OVERVIEW

The Consumer Protection and Enforcement Division (CPED) serves as the first line of defense for California utility and transportation customers. CPED implements California Public Utilities Commission (Commission) regulations, policies and licensing for transportation carriers, investigates and enforces against passenger carrier misconduct, and investigates allegations of utility waste, fraud, and abuse. CPED is comprised of two separate programs: Passenger Transportation and Utilities Enforcement.

This report contains information reflecting the month's performance within each CPED program. Information about each program is collected in six different sections: (1) Key Activities, (2) Citations/Fines/Refunds/Telephone Disconnects, (3) Compliance with Ordering Paragraphs, (4) Docket Activity, (5) Outreach/Training/Other Events, and (6) Legislation of Interest.

PASSENGER TRANSPORTATION

The Commission's Transportation Program oversees for-hire passenger carriers (limousines, airport shuttles, chartered and scheduled bus operators, transportation network companies and ferries). The Program consists of two branches: The Transportation Enforcement Branch which has three Units (San Francisco Enforcement Unit, Los Angeles Enforcement Unit, and Sacramento Enforcement Unit) and the Transportation Licensing and Analysis Branch (TLAB).

TEB investigates alleged violations, conducts joint inspections, issues warning notices and citations, prosecutes enforcement cases before the Commission and supports civil and criminal cases brought by local prosecutors, such as a district or city attorney. TEB also staffs a consumer complaint 800 phone line and conducts outreach activities to educate consumers, carriers, and state and local law enforcement and prosecutors on consumer protection statutes, regulations and policies that affect passenger transportation.

TLAB's Licensing Section analyzes applications from carriers, writes proposed decisions to approve or deny a carrier's CPCN application, issues permits and certificates, and tracks carrier compliance with permit requirements while TLAB's Analysis Section functions as the Commission's subject matter expert on policy matters, and advises decision makers regarding for-hire carriers.

KEY ACTIVITIES

Investigations

In October 2020, TEB closed 2 investigation cases and initiated 4 new cases.

Table 1. TEB 2020 Enforcement Activity

2020 Enforcement Activity	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	YTD
Open Investigations	111	139	129	134	146	140	116	96	89	92	
New Investigations Initiated	46	16	30	34	18	4	6	11	17	20	202
Investigations Completed	18	26	25	22	24	28	26	18	14	18	219
Cease and Desist Notices	28	19	17	12	25	3	7	11	7	9	138
Official Notices	3	7	5	4	4	3	1	0	0	1	28
Telephone Disconnects	2	3	0	0	0	0	0	0	0	1	6
Citations	6	8	11	3	14	26	0	11	5	11	95
Citations Appealed	0	0	2	1	0	2	0	2	1	0	8

Consumer complaints decreased by one complaint in October compared to the prior month. This month, the Consumer Intake Unit (CIU) received just four complaints.

Table 2. TEB Consumer Intake Unit (CIU) Complaints Received

October 2020 CIU Complaint Activity	
Open complaints as of October 1, 2020	3
New complaints received during month	4
Complaints closed during month	2
Complaints Referred to Enforcement	2
Open complaints as of October 31, 2020	5

Table 3. TEB Open Investigations

Investigations from CIU Complaints Referred to Enforcement										
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct
Open Investigations as of first day of month	31	42	31	27	32	33	25	24	24	22
New Investigations Initiated	17	2	9	11	8	0	1	4	3	2
Closed Investigations During Month	6	13	13	6	7	8	2	4	5	4
Open Investigations as of last day of month	42	31	27	32	33	25	24	24	22	20
Investigations open longer than 6 months	8	11	10	11	18	7	6	12	15	11
% of total open investigations	19%	35%	37%	34%	54%	28%	25%	50%	68%	55%

Carrier Application and Permit Activity

As of October 2020, TLAB’s Licensing Section has received **1851** applications (New, Renewals, Refiles, and Transfer) and issued **1664** permits. Currently, TLAB has completed **210** additional applications but cannot approve them until the California Highway Patrol (CHP) completes bus terminal inspections (CHP requires 60 days) and/or the carrier provides proof of insurance or enrollment in a drug testing program (up to 7 days).

Table 4. TLAB Passenger Carrier Activity

Year-to-Date Passenger Carrier Activity	Total
New Applications Docketed	305
Renewal Applications Docketed	1409
Refile Applications Docketed	111
Transfer Applications Docketed	26
Authorities Issued	1664
Authorities Suspended	4722
Authorities Revoked	1188
Authorities Reinstated (Suspended/Revoked)	2454

New Applications waiting for CHP inspection or carrier action (drug test results, insurance).	210
Renewal Applications waiting CHP inspection or carrier action (drug test results, insurance, or other renewal documents).	235
Pending Reinstatement from Suspension and Revocation	58
Voluntary Suspensions	1182
Voluntary Revocations	119
Vehicles added to Passenger Carrier Equipment Statements	3250
Address and DBA Changes	1666
Vehicle inspection requests sent to CHP	2178

Transportation Call Center Statistics

Beginning February 12, 2020, all Licensing staff are available to answer calls from applicants and carriers inquiring about pending applications, addition of vehicles (equipment updates), or general inquiries. The number of calls has been increasing because of COVID-19 and the Licensing section’s efforts to direct applicants and carriers to our phone lines. A total of 2178 calls have been received to date.

CITATIONS/FINES/REFUNDS/TELEPHONE DISCONNECTS

Table 5. TEB Fine Citations, Fines Paid, Consumer Refunds and PUCTRA Underpayment Fees

TEB Fines/Refunds	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	YTD
Fines Assessed	\$34,500	\$21,000	\$30,500	\$26,000	\$66,000	\$68,000	\$0	\$31,000	\$16,000	\$33,000	\$326,000
Fines Paid	\$13,590	\$14,040	\$37,233	\$11,190	\$3,002	\$19,173	\$4,400	\$20,900	\$11,950	\$12,000	\$147,478
Overcharge Refunds/ Settlements by TEB Consumer Unit	\$1,496	\$559	\$2,269	\$0.00	\$522	\$41.50	\$0	\$0	\$724	\$48.50	\$5,660
PUCTRA Underpayment Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$636.95	\$1,601	\$0.00	\$9,545	\$0	\$11,783

Citations

- F-5710. Sukhwinder S Gogi, Santa Clara, TCP 19526. Case: PSG- 5284. Fine: \$5,000. Violations: carrier 1) operated after revocation; 2) operated without Public Liability and Property Damage (PL&PD) insurance; and 3) operated at an airport without an airport authority. Carrier also failed to produce records.
- F-5712. Cajsa Entertainment LLC dba SoCal Limo Bus Unlimited, Anaheim, TCP 39258. Case: PSG-5058. Fine: \$2,000. Violations: carrier 1) advertised without valid authority; and 2) failed to provide access to records.
- F-5713. Fox Express LLC dba Fox Express, Lynwood, TCP 21536. Case: PSG-5112. Fine: \$2,000. Violations: carrier 1) operated after revocation of its authority; and 2) advertised after revocation of its authority.
- F-5716. Big Bear Lake Shuttle, Big Bear Lake, Unlicensed. Case: PSG-5175. Fine: \$1000. Violation: carrier 1) operated as a charter-party carrier without a valid authority.
- F-5718. Classic Limo Service, Inc., dba Classic Limo Tours, Discovery Bay, TCP 32572. Case: PSG-5311. Fine: \$3,000. Violations: carrier 1) operated as a charter-party carrier after expiration of authority; and 2) underreported gross revenue and underpaid PUCTRA fees.
- F-5721. LAZ Parking California LLC, Los Angeles, TCP 27805. Case: PSG-5338. Fine: \$2,000. Violations: carrier 1) operated at SFO without valid authority; and 2) failed to enroll a driver in the DMV EPN program.
- F-5722. Singh Karamjit dba A Black Town Car Service, Burlingame, TCP 5289. Case: PSG-5289. Fine: \$4,000. Violations: carrier 1) operated after revocation of authority; 2) operated without PL&PD insurance; and 3) failed to produce records.
- F-5724. Independent Transportation Charter & Security LLC dba Chello, Danville, TCP 36317. Case: PSG-5273. Fine \$6,000. Violations: carrier 1) operated during suspension and expiration; 2) operated without PL&PD insurance; and 3) engaged driver without evidence of Workers' Compensation (WCKP) insurance. Carrier also engaged driver without enrollment in EPN program and failed to produce records.
- F-5725. Jesiel Pereira Dos Santos dba Upper Class Limousines, San Francisco, TCP 24442. Case: PSG-5275. Fine \$4,000. Violations: carrier 1) operated after revocation; 2) operated without evidence of Public Liability and Property Damage insurance; and 3) failed to produce records.
- F-5727. James A. Reynolds dba Diamond Limousine Service., Yuba City, TCP 37792. Case: PSG-5727. Fine: \$3,000. Violations: carrier 1) failed to provide access to records; and 2) illegal advertising.

- F-5730. Lake Arrowhead Car Services, Yucaipa, Unlicensed. Case: PSG-5173. Fine: \$1,000. Violation: carrier 1) operated as a charter-party carrier without valid authority.

Los Angeles Airport Citation Program

Table 6. LAX Citations and Fines Collected

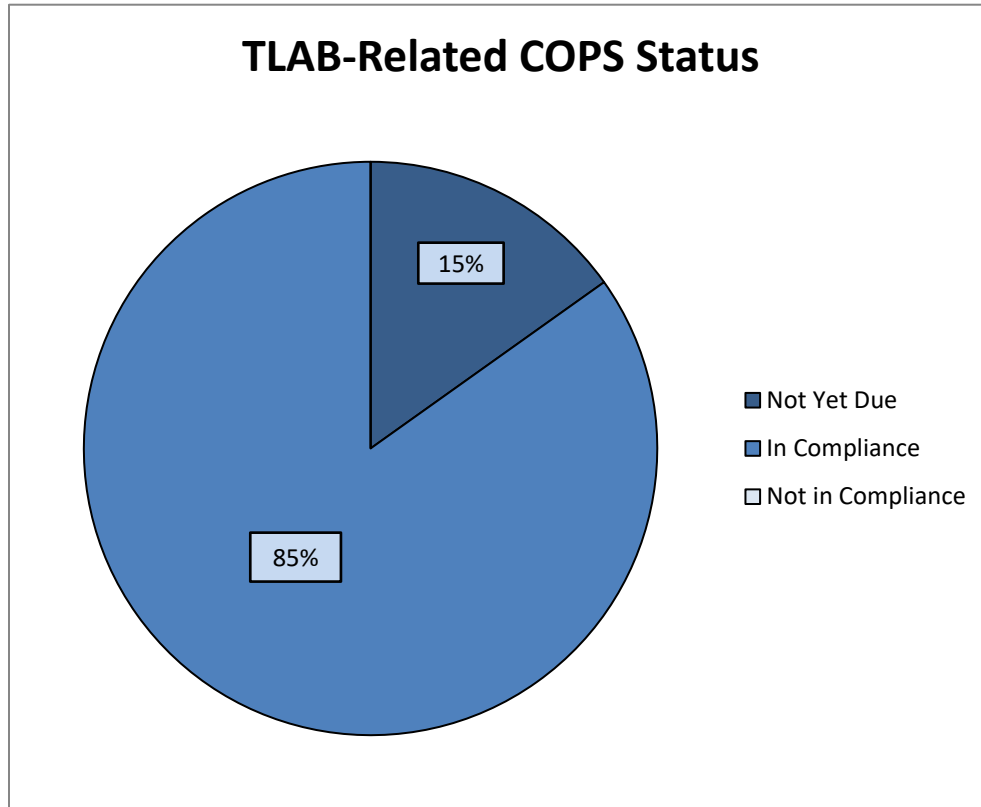
Month	Citations issued by LAX	Citations issued by CPUC	Vehicles impounded	C&D letters issued by TEB-S	Total fines collected
January	16	8	15	16	\$8,000
February	19	11	15	16	\$10,250
March	2	0	2	2	\$0
April	0	0	0	0	\$0
May	2	1	1	2	\$1,000
June	0	0	0	0	\$0
July	3	3	3	3	\$3,000
August	1	1	1	1	\$1,000
September	10	10	10	10	\$10,000
October	0	0	0	0	\$0
Year to date	53	34	47	50	\$33,250

Telephone Disconnects

- **PSG 5232. Rene Mauricio Sanchez, an individual dba E-S Limo Services, Bakersfield (Unlicensed).** Carrier advertised and offered transportation services on the *Internet* without valid authority. The advertisement listed one phone number. Notwithstanding CPED's Cease and Desist letter directing the carrier to immediately cease all unlawful advertisements and operations, carrier continued to violate the law. On October 22, 2020, CPED obtained a Finding of Probable Cause signed by Kern County Superior Court District Court Judge John R. Brownlee. The Finding orders disconnection of telephone service to the number advertised and used by carrier to violate criminal laws in the State of California.

COMPLIANCE WITH ORDERING PARAGRAPHS

Figure 1. Compliance with Ordering Paragraphs



The Transportation Program is currently responsible for 590 separate Ordering Paragraphs. Many Ordering Paragraphs result from decisions to approve CPCNs for passenger stage corporations, and include permit requirements such as obtaining appropriate insurances, enrolling in drug testing and DMV pull-notice programs, receiving bus terminal inspections by CHP and others. Other OPs uphold TEB enforcement actions and impose fines for carrier violations of law and wrongdoing against consumers. OPs also introduce new reporting requirements and transportation policies.

DOCKET ACTIVITY

Policy Proceedings

- **R.12-12-011 / TNC Rulemaking / Mason & Chiv / Shiroma.** 10/15/2020: Proposed Decision Issued re: Drivered and Driverless Autonomous Vehicle Passenger Service Program issued for public comment.
- **R.19-02-012 / TNC Access for Persons with Disabilities / Mason & Chiv / Shiroma.** 10/01/2020: Resolution ALJ 3-88 denying the Appeals by Uber Technologies, Inc. and Lyft Inc. of the Consumer Protection and Enforcement Division's Confidentiality Determination in Advice Letters 1, 2, and 3 issued for public comment.

Formal Enforcement Proceedings

- No Olls or OSCs

Citation Appeal Proceedings

- **K.19-09-015 / Jordan & Associates Investments, dba Sun Buggie Fun Rentals (TCP 38563-Z) Appeal / ALJ Kim**
On September 26, 2019, appeal was received and filed by ALJ Docket Office. April 2020, no hearing date scheduled by the ALJ.
May 2020, no hearing date scheduled by ALJ.
Appeal has not been scheduled to date. No change for October.
- **K.20-03-012 / Belmont Village Calabasas, LLC (Unlicensed) Appeal / ALJ Kline**
On March 16, 2020, appeal was received and filed by the ALJ Docket Office. No hearing date scheduled by the ALJ. On April 20, 2020, ALJ ordered TEB to suspend any and all further efforts to enforce its cease and desist order against Belmont until the citation appeal proceedings is resolved by Commission resolution. In addition, parties are reminded that all ex parte communications are prohibited in citation appeal proceedings. On May 22, 2020, Counsel working on opening brief. On 6/3/2020 CPUC Counsel received service copies of Belmont Village Calabasas LLC's Opening Brief and supporting documents from Legal Secretary Linda Jan Hall to William D. Taylor and Matthew H. Lewis, Esq. On 6/29/2020, Counsel received email from ALJ a "Ruling Resolving Threshold Jurisdictional Issue and Directing Procedural Next Steps".
ALJ finds the Commission has jurisdiction over charter-party carriers of passengers pursuant to the Passenger Charter-party Carriers' Act (Pub. Util. Code §§ 5351 et seq.) even when those same carriers are issued a Private Carrier of Passengers Certificate by the California DMV pursuant to the Private Carriers of Passengers Registration Act (Veh. Code §§ 34680-34693). ALJ ordered Belmont Village Calabasas and the CPED to meet and confer, and file a joint case

management statement that addresses the remaining material issues in dispute and the need for an appeal hearing within 21 calendar days of the date of this ruling. On July 9, 2020, Belmont filed an appeal to the categorization of proceedings K 20-03-012, requesting the Commission reclassify from “adjudicatory” to “quasi-legislative” pursuant to Rule 7.6, (Categorization appeal). On July 17, 2020, ALJ Ruling Denying Belmont Village Calabasas, LLC’s Categorization Appeal.

Scheduled hearing for September 8, 2020, but Belmont’s Attorney asked for a continuance to October 2020 and parties are awaiting ALJ’s decision on the continuance. Webex Test: 10/13/2020. Appeal Hearing 10/19/2020.

On October 6, 2020, ALJ took hearings 10/13/2020 and 10/19/2020 off-calendar since the parties reached a settlement agreement.

- **K.20-04-012 / Duc Tuan Tony Nguyen dba WineCab (Unlicensed) Appeal / ALJ Zhang**

On March 10, 2020, appeal was received and filed by the ALJ Docket Office. The carrier requested and was granted a 30-day extension effective March 17, 2020 to file an amended appeal. Carrier filed the appeal on April 14, 2020. On August 13, 2020, parties entered into a settlement agreement in principle. Appellant and CPED filed a joint motion with ALJ to remove the evidentiary hearing scheduled for August 18, 2020 and enter the settlement into the record and formally withdraw the appeal. On August 17, 2020, the ALJ issued a ruling granting the joint motion to remove evidentiary hearing and ordered a settlement update on September 1, 2020, which was provided. ALJ established September 30, 2020 to file a joint motion for adoption of settlement.

October update, Appellant’s attorney has withdrawn from the case and the settlement agreement that was in progress is still incomplete.

- **K.20-06-003 / David Gorgoyan dba Celebrity Rides (TCP 35518-B) Appeal / ALJ Goldberg**

On June 1, 2020, received defendant’s appeal.

On June 10, 2020, appeal was filed by the ALJ Docket Office. No Hearing date has been set.

July 1, 2020, Attorney Hill is discussing a possible settlement with appellant’s attorney.

No update for October.

- **K.20-06-008 / Hamidullah Hamidi dba All Access Limo Service (TCP 31413-B) Appeal / ALJ Goldberg**

On June 24, 2020, received defendant’s appeal and filed by ALJ Docket Office.

No hearing date has been set.

No update for October.

- **K.20-07-014 / Welltower Pegasus Tenant, LLC (Unlicensed) Appeal / ALJ Kline**

On July 13, 2020, appeal was received and filed by the ALJ Docket Office. The appeal is being handled by William D. Taylor Esq. Scheduled hearing was initially set for September 8, 2020.

Carrier requested a continuance. On August 31, 2020, the ALJ issued a ruling to reset the citation appeal hearing to October 21, 2020.

Settlement agreement completed on October 1, 2020 and sent to appellant for signature. TEB signed off on agreement on October 9, 2020.

- **K.20-07-015 / Welltower Cogir Tenant, LLC (Unlicensed) Appeal / ALJ Kline**
On July 15, 2020, appeal was received and filed by the ALJ Docket Office. The appeal is being handled by William D. Taylor Esq. Scheduled hearing was set for September 8, 2020. Carrier requested a continuance. On August 31, 2020, the ALJ issued a ruling to reset the citation appeal hearing to October 22, 2020.
Settlement agreement completed on October 1, 2020 and sent to appellant for signature. TEB signed off on agreement on October 9, 2020.
- **K.20-08-005 / Erick Pierre dba Pilot Limousines Services (TCP 23628-B) Appeal / ALJ (unassigned)**
On August 6, 2020, received defendant's appeal and filed by ALJ Docket Office.
No hearing date has been set.
On September 23, 2020, a Status Conference was held to discuss procedures and set a hearing date during the week of October 26, 2020.
WebEx appeal hearing scheduled for November 3, 2020 at 9:00AM.
- **K (unassigned)/CYC Holdings, Inc. dba CYC Transport (TCP 36382-B) Appeal / ALJ (unassigned)**
On September 8, 2020, ALJ Docket Office received defendant's appeal.
No update for October.

Carrier Application Proceedings

- **A.20-03-010 / Application of Transit Systems Unlimited, Inc. for Authority to Operate as Self-Insured Charter-Party Carrier of Passengers Pursuant to Public Utilities Commission General Order No. 115-G / 10/09/2020 Scoping Memo and Ruling issued.**
- **A.20-08-008 / Application of AMERICANSTAR TOURS (PSG8118) for Authority to Expand its Service Area to Include both AMTRAK's (i) ROUTE 18 THRUWAY SCHEDULE BUS SERVICE BETWEEN POINTS IN FRESNO AND SANTA MARIA and (ii) ROUTE 21 SERVICE BETWEEN POINTS IN OXNARD AND OAKLAND; and to establish a Zone of Rate Freedom of \$20 above and below the Proposed Fare, the minimum fare rate is \$5 / 10/15/2020 Decision D.20-10-013 issued.**
- **A.20-08-019 / Application of UNION RIDE INC., a California Corporation, for a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation between points in the Cities of San Ysidro and Los Angeles California; and to establish a Zone of Rate Freedom / 10/15/2020 Decision D.20-10-014 issued.**

- **A.20-03-008** / In the matter of the Application of MAIN EXPRESS, LLC, for passenger stage authority under Section 1031, et. seq., of the California Public Utilities Code, to transport passengers and baggage express, on an on-call, county-to-county fare basis, between the counties of San Diego, Orange, Los Angeles, San Bernardino, Riverside, Kern, Monterey, Tulare, Fresno, Santa Clara, San Mateo, San Francisco, Alameda and Sacramento, on the other hand; and to establish a Zone of Rate Freedom (ZORF) under Section 454.2, et. Seq., of the PU Code / **10/15/2020 D.20-09-018 issued.**

OUTREACH/TRAINING/OTHER FIELD ACTIVITIES

Outreach

Joint Agencies

- **Napa County Interagency Operations, Napa** – Northern California-based staff worked with the Napa County District Attorney’s office and St. Helena Police Department to address complaints of unlicensed providers of for-hire passenger transportation. A total of 40 vehicles were observed, of which five suspended and one expired TCPs were noted.
- **San Francisco International Airport (SFO) Ground Transportation Unit and San Francisco Airport Police.** Northern California-based staff, San Francisco International Airport Ground Transportation Unit and San Francisco Airport Police working jointly to address complaints of unlicensed providers of passenger transportation at San Francisco International Airport (**This assignment is on hold due to the Corona Virus**).

Surveillance – TEB-Los Angeles

- The Transportation Enforcement Branch Los Angeles (TEB-LA) continued to conduct field activities throughout Southern California, including Airports, transit centers and the entertainment district. The main purpose of these activities was to monitor passenger transportation carriers’ (PTC) activities during COVID-19 and report if drivers of these vehicles are complying with face covering and social distance state mandates. TEB staff continued to observe an increase of airport ground traffic during the month of October coming off the COVID -19 era historical lows. TEB Staff did observe that drivers for PTC were wearing face covering and complying with social distance mandates where applicable. High volume of TNC vehicles are not in compliance with the required trade dress.

Training for Managers, Supervisors, and Staff

- None for October 2020

UTILITIES ENFORCEMENT BRANCH

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 CPUC to seek appropriate penalties and remedies for consumers.

MONTHLY HIGHLIGHTS

- **One Million New Internet User Coalition (NIU) (I.18-07-009) (Commissioner Rechtschaffen/ALJ KIM):** Pursuant to the ALJ ruling to take judicial notice of certain documents, CPED and Community Union (member of NIU and sole Respondent to the Investigation) filed comments and reply comments to respond to the issues raised in the ruling. CPED also filed a motion to strike certain portions of Community Union’s reply on the basis that its comments are beyond the scope allowed.
- **Net Energy Metering (NEM) Citation Program (UEB-004):** CPED presented Resolution UEB-004 at the regular agenda Commission meeting. The resolution was held to November. Resolution UEB-004 establishes a NEM citation program to enforce compliance with the consumer protection measures authorized by the Commission in Decisions (D.)16-01-044, D.18-09-044 and D.20-02-011.
- **San Jose Clean Energy RA Citation Appeal (K.19-03-024):** SJCE filed an application for rehearing of Resolution ALJ-382.
- **San Jose Clean Energy RA Citation Appeal (K.20-04-005):** ALJ issued a ruling setting the deadlines for legal briefs and testimony.
- **East Bay Community Energy RA Citation Appeal (K.20-04-006):** ALJ issued draft resolution ALJ-389 approving EBCE’s motion to withdraw its appeal of Citation No. E-4195-77.
- **Clean Power Alliance of Southern California RA Citation Appeal (K.20-05-006):** CPASC filed its opening legal briefs and testimony.
- **Pacific Gas and Electric (PG&E) Order to Show Cause Related to Public Safety Power Shutoff (PSPS) (Commissioner Batjer/ALJ Poirier):** PG&E provided responses

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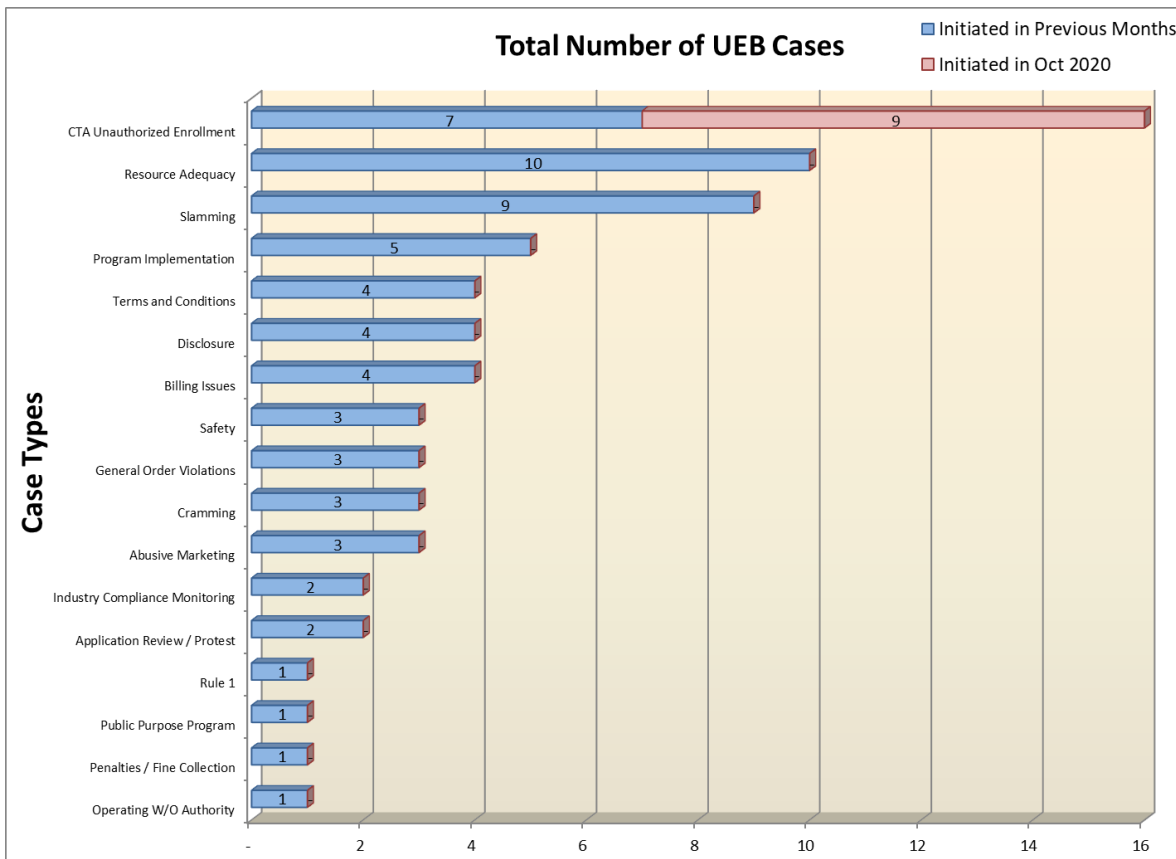
to several ALJ questions. In addition, PG&E and several Joint Parties each filed Opening Briefs addressing why PG&E should or should not be sanctioned by the Commission for failing to properly communicate with its customers, coordinate with local governments, and communicate with Critical Facilities and Public Safety Partners during the PSPS events of October 9-12 and October 23–November 1, 2019.

KEY ACTIVITIES

UEB is working on a total of 72 cases. Investigations center primarily on CTA Unauthorized Enrollment, Slamming, and Resource Adequacy. UEB’s cases come from a variety of sources, with Inter-Division referrals and UEB’s own scanning activities playing key roles.

Cases by Type as of October 31, 2020

Figure 1. UEB Total Number of Cases by Type Chart



CITATIONS/FINES/REPARATION

UEB did not issue any citations during the month of October 2020.

Updated Cumulative January through October 2020 fines, reparations and penalties imposed are shown below.

Table 8. UEB Fines, Reparations, and Penalties

Date	Citations/Fines/ Reparation
October 2020	\$0
Cumulative 2020	\$10,504,856

- 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, 11-06-022 and 14-06-050. UEB received payment for one citation in October 2020 as shown below.

Table 9. UEB Resource Adequacy Citations

CITATION PAYMENT RECEIVED OCTOBER 2020					
Energy Citation #	Date Issued	Company	Citation Amount	Date Due	Status
E-4195-0088	9/11/2020	Just Energy Solutions	\$132,387.50	10/12/2020	Payment received 10/5/2020
		TOTAL	\$132,387.50		

- 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 PU Code Section 983.5.

In October, UEB reviewed 96 CTA related complaints received by the Consumer Affairs Branch (CAB) in September 2020 and identified 45 needing investigation. UEB issued nine data requests for proof of enrollment authorization for 45 customers. UEB received 33 TPVs as proof of customer authorization. Ten customers did not have service accounts with the alleged CTAs and two customers cancelled before service commenced. After reviewing the information provided, staff determined that the CTAs

obtained customer authorization before enrolling them in CTA service in all cases. Staff reviewed all data request responses and recommends no further investigation.

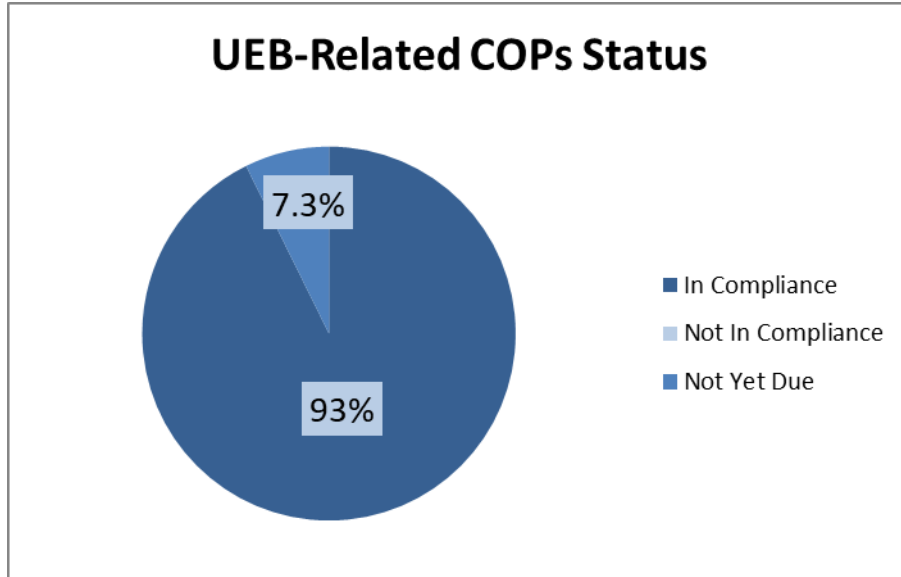
UEB issued a Notice of Citation to AAA Natural Gas (AAA) on October 16, 2020, for failing to obtain valid proof of authorized enrollment for one customer for July’s investigation. AAA’s response is due no later than November 16, 2020. Additionally, one citation will be issued to Spark Energy Gas, LLC for failing to obtain valid proof of enrollment for one customer for August’s Investigation.

Table 10. UEB CTA-Related Complaints

Month Received	CTA-Related Complaints		Data Requests Issued	Proof of Authorization Obtained	Citations Issued	Cease and Desist Letters Issued
	Total Reviewed	Unauthorized Enrollment				
September	96	45	9	33 TPVs	None	0

COMPLIANCE WITH ORDERING PARAGRAPHS

Figure 2. UEB-Related COPs Status Chart



There were no new Ordering Paragraphs added to UEB’s COPS tracker for the month of October. UEB was responsible for 41 separate Ordering Paragraphs. As of October 2020, 38 (representing 92.7%) have been complied with, three are not yet due (representing 7.3%) and 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.

UEB-RELATED PROCEEDINGS

Table 12. UEB-Related Proceedings

Docket No.	Title	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	Aceves
R.18-12-005	Ruling directs Pacific Gas and Electric Company to show cause why it should not be sanctioned for violation of Public Utilities Code § 451 and Commission statutes by failing to properly communicate with its customers, and coordinate with local governments and Public Safety Partners during the Public Safety Power Shutoff (PSPS) events during October 9 - November 1, 2019, resulting in a risk to public safety.	Semcer/ Poirier	Batjer
I.17-04-021	Order Instituting Investigation on the Commission’s Own Motion into the Billing Practices of Southern California Gas Company (U904G); and Order to Show Cause Why the Commission Should not Revise Rule No. 14, Impose Penalties and/or Other Remedies for Extending Billing Periods and Issuing Untimely Monthly Bills.	Ayoade	Rechtschaffen
I.18-07-009	Order Instituting Investigation on the Commission’s Own Motion into the California’s One Million New Internet Users Coalition’s Misuse of California Advanced Services Fund Grant Funds; and Order to Show Cause Why the Commission Should Not Impose Penalties and/or Other Remedies for Violating Terms of Their Grant and for Refusing to Return Funds.	Zhang	Rechtschaffen

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I.19-12-009	Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Frontier Communications to Determine Whether Frontier Violated Laws, Rules and Regulations through Service Outages and Interruptions and Disclosing and Publishing Customer Addresses.	Zhang	Randolph
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
K.20-04-004	Appeal of American PowerNet Management (APN) to citation E-4195-73 issued on March 6, 2020 (revised on April 29) by Consumer Protection & Enforcement Division.	Yacknin	N/A
K.20-04-005	Appeal of San Jose Clean Energy to citation E-4195-74 issued on April 10, 2020 by Consumer Protection & Enforcement Division.	Yacknin	N/A
K.20-04-006	Appeal of East Bay Community Energy to citation E-4195-77 issued on April 9, 2020 by Consumer Protection & Enforcement Division.	Yacknin	N/A
K.20-05-006	Appeal of Clean Power Alliance of Southern California to citation E-4195-82 issued on April 9, 2020 by Consumer Protection & Enforcement Division.	Yacknin	N/A

OUTREACH/TRAINING/OTHER ACTIVITIES

SNAP: The FCC presented an update on the Status of the Rural Digital Opportunity Fund (RDOF) Phase I Auction. On October 1, the FCC released the “eligible area’s” notice. This is a finalized list of census blocks and a map of areas that are eligible for the RDOF Auction. The FCC authorized 386 participants to bid on the \$16 billion dollars to provide fixed broadband service in rural and less served areas. The bidding begins on October 29 and there will be multiple rounds. No date is set to end the auction. After the auction is over, there is a post-auction process that winners must go through to confirm they can meet the standards required in the auction before the winning bidders get access to the funds.