



Public Utilities Commission

STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: North Bay Wine Tours LLC
Maria C Valencia Ramirez - CEO
Orlando A Moreno - Member



File: TCP 24098 Revoked
Citation #: T.24.12-006
Date: December 31, 2024
Case #: CSE-0000285

VIOLATIONS

You are hereby cited with having violated a section of the Public Utilities (Pub. Util.) Code as described below. This violation occurred during the period October 28, 2024, to December 1, 2024.

- (1) Advertised as a charter-party carrier without a valid authority in violation of Pub. Util. Code section 5414.5 [**1 count**].

STATEMENT OF FACTS

The above violation is documented in the attached Investigation Report, which consists of carrier's records and substantiating documents obtained from other sources.

RESPONSE

You are hereby called upon to answer this citation on or before January 20, 2025. By way of such answer, you may either:

- (1) Pay a fine of \$2,000 pursuant to P.U. Code Section 5378. (Submit your check or money order payable to California Public Utilities Commission using the attached *Citation Agreement*. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and the Commission staff will deem the matter closed, **or**
- (2) Contact the Supervisor below to make payment arrangements, **or**
- (3) Contest this Citation by filing an Appeal. See attached document "*How to File an Appeal and Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal.*"

If you fail to respond by January 20, 2025, you will be in default and will have forfeited your right to appeal the Citation. The Commission may also act through a civil or criminal proceeding to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

Eric Hooks

Eric Hooks
Program and Project Supervisor
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number: 415-703-2032
E-mail address: Eric.Hooks@cpuc.ca.gov

Attachments



Public Utilities Commission

STATE OF CALIFORNIA

CITATION COMPLIANCE AGREEMENT

File No.: TCP: 24098 Revoked

Citation #: T.24.12-006

Date: December 31, 2024

Case #: CSE-0000285

I (we) hereby agree to comply with this citation dated December 31, 2024, and herewith pay the fine of \$2,000.

North Bay Wine Tours LLC
Maria C Valencia Ramirez – CEO
Orlando A Moreno - Member

[Redacted Signature]

(Signature)

(Title)

(Date)

Payment (cashier check or money order) should be made payable to *California Public Utilities Commission* and sent to:

California Public Utilities Commission
Attn: Fiscal Office
505 Van Ness Avenue
San Francisco, CA 94102-3298

Automatic credit and debit card payments are also available. To arrange for autopay, fill out the attached CREDIT OR DEBIT CARD AUTHORIZATION form and mail to the above address. “Automatic credit and debit card payments are also available through the California Public Utilities Commission’s [Transportation Carrier Portal](#).”

CSE NO. _____

CARRIER NAME: _____

CREDIT OR DEBIT CARD AUTHORIZATION

I, _____
(PRINTED NAME)

Do hereby authorize the **CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)** to charge the

Amount of _____ from **my VISA / MASTERCARD** (Circle one)

Card No.: _____

Expiration date : _____

Cardholder Authorized Signature

Today's date

Attachments:

Photocopy of Credit Card (Front & Back)

Photocopy of Cardholder's Driver's License

INVESTIGATIVE REPORT

CARRIER: North Bay Wine Tours LLC
CA Secretary of State: 200820410243 (Terminated)

OFFICERS: Orlando Moreno, Member
Maria C Valencia Ramirez, CEO

AUTHORITY: Charter-Party Carrier – TCP24098 B (Revoked)

ADDRESS: [REDACTED]

PHONE/EMAIL: (707) 759-5466 / team@northbaywinetours.com

VEHICLES: 1 Bus

EMPLOYEES: None

PL&PD INSURANCE: National Fire & Marine Insurance Company
[REDACTED]
Effective Date: 9/27/23

WORKERS' COMPENSATION INSURANCE: None

DRUG CONSORTIUM: None

INTRODUCTION

On October 28, 2024, I was assigned to investigate the operations and practices of North Bay Wine Tours LLC (hereinafter referred to as North) for advertising without a Charter-Party Carrier (TCP) authority.

HISTORY OF ENFORCEMENT

Enforcement case records show North has a history of violating the California Public Utilities Commission's (CPUC) rules and regulations, as detailed below.

On October 31, 2022, Enforcement Analyst, Shawndra Miles, issued a Cease and Desist (C&D) Notice to North [**Attachment 1**] for operating without a valid TCP authority and unlawfully advertising. Subsequently, on January 12, 2023, Shawndra Miles Enforcement Analyst sent North a warning letter for [**Attachment 2**]:

1. Failure to show all information as required on waybill;
2. Advertising larger vehicles for hire outside the scope of carrier's TCP authority.

VIOLATIONS

The investigation disclosed that North violated the following provision of the Public Utilities Code (Pub. Util. Code) from October 28, 2024, to December 1, 2024.

- **Advertised as a charter-party carrier without a valid authority in violation of Pub. Util. Code Section 5414.5 [1 count]**

On October 28, 2024, the Commission received a complaint alleging that North is advertising without a valid authority. On December 31, 2017, the Commission revoked North's TCP authority [**Attachment 3**].

I sent a C&D notice via email to team@northbaywinetours.com and U.S. mail on November 27, 2024 [**Attachment 4**]. On October 30, 2024, I reviewed the North's website and Yelp page, which indicated it offered transportation services on October 30, 2024. North has yet to respond to the notice. Additionally, North continued advertising transportation services on its website and Yelp, disregarding the C&D notice. [**Attachment 5**]

DECLARATION

I have read the foregoing and know the contents thereof and I declare under penalty of perjury that the foregoing is true and correct, except as to those matters stated on information and belief, and as to those matters, I believe to be true.

Executed on December 31, 2024
at Los Angeles, California

Ronald Truss

Ronald Truss
Public Utilities Regulatory Analyst II

LIST OF ATTACHMENTS

1. October 31, 2022 Notice to Cease and Desist
2. Warning Letter sent on January 12, 2023
3. TCP Portal Showing North Bay Wine Tours LLC Revoked
4. November 27, 2024 Notice to Cease and Desist
5. Website and Yelp Page on October 30, 2024

ATTACHMENT 1: Notice to Cease and Desist

PUBLIC UTILITIES COMMISSION
180 Promenade Ct., Suite 115
Sacramento, CA 95834

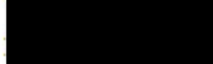


October 31, 2022

TCP: Unlicensed
Case No.: PSG-5809

SENT VIA E-MAIL

Vlada and Shawn Walker
North Bay Wine Tours LLC



NOTICE TO CEASE AND DESIST

Dear Mr. & Mrs. Walker,

The California Public Utilities Commission (CPUC) became aware that you are operating without a valid authority.

Public Utilities Code (P.U. Code) Sections 1031 and 5371 state that it is unlawful for a Passenger Stage Corporation and a charter-party carrier of passengers to conduct any operations without a valid authority. P.U. Code Sections 1034.5 and 5414.5 state that it is unlawful to publish or advertise without holding a valid permit. Advertisements include, but are not limited, to advertising in local directories or yellow pages, business cards, internet websites, and any other form of advertisements.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL UNLAWFUL OPERATIONS INCLUDING ADVERTISING. P.U. CODE SECTION 1037 STATES THAT ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR AND, IF A PERSON, IS PUNISHABLE BY A FINE NOT TO EXCEED \$1,000 OR BY IMPRISONMENT IN A COUNTY JAIL NOT TO EXCEED SIX MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT, OR, IF A CORPORATION, SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$1,000.

P.U. CODE SECTION 5411 STATES THAT ANY CARRIER WHICH OPERATES WITHOUT A VALID AUTHORITY IS GUILTY OF A MISDEMEANOR WHICH IS

ATTACHMENT 2: Warning Letter

PUBLIC UTILITIES COMMISSION
180 Promenade Ct., Suite 115
Sacramento, CA 95834



January 12, 2023

TCP: Unlicensed
Case No.: PSG-5809

SENT VIA E-MAIL

Vlada and Shawn Walker
North Bay Wine Tours LLC
[REDACTED]

WARNING LETTER

On October 27, 2022, Shawndra Miles of the Transportation Enforcement Branch of the Public Utilities Commission of the State of California, admonished North Bay Wine Tours, LLC for violation(s) of the following:

Reference:	Item/Section:	Violation
G.O. 157-D	3.01	Failure to show all information as required on waybill, including points of origin and destination, number of persons in the charter group, name and address of person requesting or arranging the charter, and valid TCP number of carrier.
P.U. Code	5414.5	Advertising larger vehicles for-hire outside the scope of carrier's charter-party permit authority.

You are also placed on notice that an examination of the transportation records of North Bay Wine Tours, LLC may be conducted in the future and if similar violations are found at that time, penalties as provided in the Public Utilities Code may be incurred.

I have read the above statement and have been furnished a copy.

Carrier Representative Signature: Shawn Walker

Shawn Walker
Dated: 01/12/23

Shawndra Miles
Shawndra Miles
Public Utilities Regulatory Analyst
Dated: January 12, 2023

ATTACHMENT 3: TCP Portal Showing North Bay Wine Tours LLC Revoked

The screenshot displays the TCP Portal interface for account **PSG0024098 - NORTH BAY WINE TOURS LLC**. The account record type is LLC, operation model is Regular, TEB Flag is N, and Authority Status is Revoked. A single contract is listed with Contract Number 00014046, Contract Name TCP B CERTIFICATE, Contract End Date 12/31/2017, Status Revoked, Case 00008966, and Last Modified Date 12/17/2024 3:00 PM. Below the contract, a list of cases is shown, all with Status Approved and Subject PUCTRA. The cases include Case 00008966 (TCP - New Application, \$0.00), Case 00178496 (PUCTRA, \$104.85), Case 00167320 (PUCTRA, \$65.10), Case 00148229 (PUCTRA, \$78.22), and Case 00138338 (PUCTRA, \$137.99).

Contract Number	Contract Name	Contract St...	Contract En...	Status	Case	Last Modified Date
1 00014046	TCP B CERTIFICATE		12/31/2017	Revoked	00008966	12/17/2024 3:00 PM

Case	Case Record Type	Status	Subject	Payment B...	Parent Cas...	Contract	Date Opened	Date/Time Cl...
1 00008966	TCP - New Application	Approved	TCP B CERTIFICATE	\$0.00		00014046	9/15/2017 6:31 AM	5/25/2021 6:15 AM
2 00178496	PUCTRA	Approved	PUCTRA	\$104.85			2/27/2017 12:00 AM	6/7/2021 2:59 AM
3 00167320	PUCTRA	Approved	PUCTRA	\$65.10			2/24/2016 12:00 AM	6/7/2021 2:52 AM
4 00148229	PUCTRA	Approved	PUCTRA	\$78.22			4/9/2015 1:00 AM	6/7/2021 2:39 AM
5 00138338	PUCTRA	Approved	PUCTRA	\$137.99			8/22/2014 1:00 AM	6/7/2021 2:33 AM

ATTACHMENT 4: November 27, 2024 Notice to Cease and Desist

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 27, 2024
Case No.: CSE-000285

TCP: 24098 Revoked

Maria C. Valencia Ramirez - Owner
Orlando A. Moreno - Owner
North Bay Wine Tours LLC



NOTICE TO CEASE AND DESIST

Dear Maria C. Valencia Ramirez and Orlando A. Moreno:

The California Public Utilities Commission (CPUC) has become aware that you are operating without a valid authority.

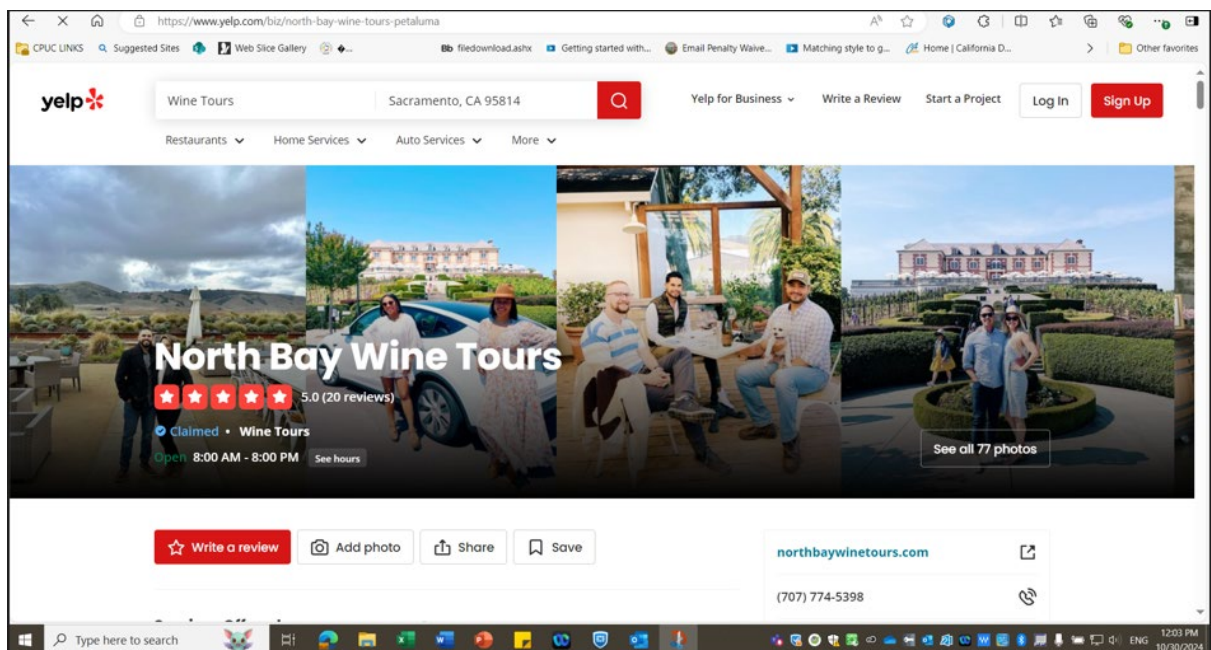
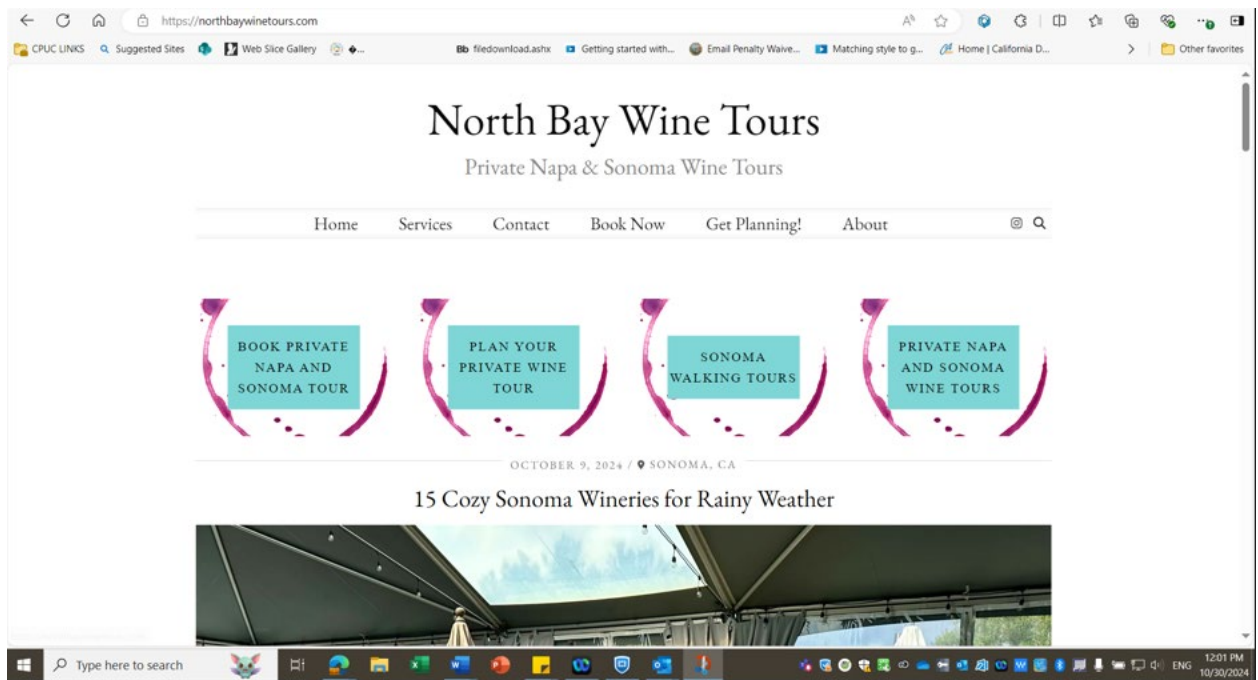
Public Utilities (Pub. Util.) Code Sections 1031 and 5371 state that it is unlawful for a Passenger Stage Corporation or a Charter-Party Carrier to conduct any operations without valid authority. Pub. Util. Code Sections 1034.5 and 5414.5 state that it is unlawful to publish or advertise without holding a valid operating authority. Advertisements include, but are not limited to, advertising in local directories or Yellow Pages, business cards, internet websites, and any other form of advertisements.

Your company must immediately cease and desist from all unlawful operations including advertising.

Pub. Util. Code Section 5411 states in part that any TCP carrier which operates without a valid authority is guilty of a misdemeanor and is punishable by a fine not less than \$1,000.

This letter places your company on notice that continued violations of the law without the required operating authority may result in enforcement actions, including criminal prosecutions. There will be no further warnings.

ATTACHMENT 5: North Bay Wine Tours Website and Yelp Page on October 30, 2024



HOW TO FILE AN APPEAL OF A CITATION

IF YOU WISH TO APPEAL THIS CITATION, YOU MUST DO SO WITHIN 20 CALENDAR DAYS OF THE DATE YOU RECEIVED THE CITATION.

[There are two options to file your appeal, both options require use of the Appeal Form located at the link below:](#)

[Appeal Form](#)

Option 1: You may file your appeal electronically **following** the instructions on the CPUC's Filing A Document Electronically (E-filing) webpage [E-File a Document \(ca.gov\)](#)

Option 2: You may file you appeal by sending six (6) paper copies addressed to CPUC's Docket office:

**California Public Utilities
Commission Docket Office, 2nd
Floor
505 Van Ness Ave
San Francisco, CA 94102**

[After Filing your appeal, you must also serve the Notice of Appeal:](#)

To serve copies of the Notice of Appeal, you must attach a "Certificate of Service for a Citation Appeal." In the Notice of Appeal, you must state why you are appealing the citation.

To properly serve the Notice of Appeal, send the Notice of Appeal and any attachments by *e-mail* to the following recipients:

1. **CPUC Docket Office**, ALJ_Docket_Office@cpuc.ca.gov
2. **Transportation Enforcement Inbox**, TEB_Citation_Appeals@cpuc.ca.gov
3. **Terra Curtis, Interim Director CPED**, Terra.Curtis@cpuc.ca.gov
4. **Michelle Cooke, Chief Administrative Law Judge**, Michelle.Cooke@cpuc.ca.gov
5. **ALJ Division Appeals Coordinator**, ALJ_Div_Appeals_Coordinator@cpuc.ca.gov

Please note if you are appealing by the Paper Copy process you must also file the Notice of Appeal either by emailing as described above or mailing to the following:

Original plus six copies to:

1. **Docket Office**, California Public Utilities Commission, Docket Office, 2nd Floor, 505 Van Ness Ave., San Francisco, CA 94102

One Copy Each to:

2. **Terra Curtis, Interim Director**, Consumer Protection and Enforcement Division, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102
3. **Michelle Cooke, Chief Administrative Law Judge**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 5th Floor, San Francisco, CA 94102
4. **ALJ Division Appeals Coordinator**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 5th Floor, San Francisco, CA 94102
5. **Kenneth Bruno, Program Manager**, Consumer Protection and Enforcement Division, Transportation Enforcement Branch, 320 W. 4th Street Los Angeles, CA 90013

[You may request an extension of time to file an appeal](#)

You may request up to 30 days additional time to file an appeal. To ask for extra time, contact the Supervisor listed on the citation on or before the due date to seek a 30-day extension. A copy of the letter granting you an extension must be attached to your appeal.

The Citation Appeals Process can be found in Appendix A of CPUC Resolution ALJ-377, available through this link: [ALJ-377 Appendix A Citation Appeal Rules](#). The relevant Citation Appeals Process are also included in the packet you received along with the citation.

[Paying the Citation and availability of Payment Plans](#)

If you do not want to file an appeal and agree to comply with the citation and pay the fine, sign the Citation Compliance Agreement. Contact the Supervisor listed on the citation before the due date to seek authorization for any payment plans as necessary.

[Frequently Asked Questions](#)

WHAT HAPPENS IF I DON'T RESPOND?

If you do not respond to the citation within the 20 calendar days, you will be in default of the citation, and will lose your right to appeal the citation. In addition, CPED will immediately suspend your operating authority. If you do not pay the citation amount or make a payment arrangement by 30 days after suspension of your operating authority, CPED will revoke your operating authority. Once we revoke your operating authority, we cannot reinstate it. Instead, first you must pay the citation fine, and then apply to the CPUC for **new** operating authority and pay a filing fee. The CPUC may also act through a civil or criminal proceeding to recover any unpaid fines and to ensure compliance with applicable statutes and CPUC orders.

WHAT ARE MY RIGHTS?

If you file a Notice of Appeal, the CPUC will set a **hearing date** for your appeal to be heard before an Administrative Law Judge (ALJ).

Hearing Venue:

Until further notice, all appeal hearings will be telephonic due to the COVID-19 pandemic. Telephone instructions will be provided by the ALJ prior to the telephone hearing.

At the hearing:

There are two different types of Hearing Procedures for an Appeal to be heard before a CPUC Administrative Law Judge.

Expedited Citation Appeal Procedure

Resolution ALJ-377 provides for an expedited process for citations at or below the jurisdictional limit of the Small Claims Court in California as referenced in Public Utilities Code § 1702.1. This is currently \$10,000 for individuals and \$5,000 for corporations.

- Attorneys or representatives are not allowed to represent parties in the expedited process.
- No court reporters will be present, nor will a transcript be provided.
- You are entitled to have an interpreter present at the hearing to translate for you. The CPUC will provide the interpreter cost free. To have an interpreter at the hearing, you must make a written request to the Acting Chief Administrative Law Judge and to the Office of the Public Advisor (see contact information, on this form) no later than five business days before the date of your hearing.
- You may provide evidence and call witnesses to testify for you. If you will be providing evidence for the record of the hearing, you must provide that evidence to CPED no later than three days before the date of your hearing.
- A party who is subject to the Expedited Citation Appeal Procedure, may at any time prior to the swearing in of the first witness at the evidentiary hearing, request termination of the Expedited Citation Appeal Procedure, and that the matter be recalendared for hearing under the Commission's regular procedure for Citation Appeals. The Commission or the assigned Administrative Law Judge, when the public interest so requires, may at any time prior to the filing of a resolution addressing the Citation Appeal, terminate the Expedited Citation Appeal Procedure and for hearing under the Commission's regular procedure for Citation Appeals. recalendar the matter

Regular Procedure for Citation Appeals

For cases exceeding the small claims threshold above, or when the appellant requests termination of the expedited procedure, the CPUC will use the regular procedure for citation appeals.

- You may have an attorney or someone else represent you, but you must pay for the attorney or other representative.

- You may ask for a transcript of the hearing, but you must pay the cost of the transcript. You are entitled to have an interpreter present at the hearing to translate for you. The CPUC will provide the interpreter, and you will not have to pay for the interpreter's service. To have an interpreter at the hearing, you must make a written request to the Acting Chief Administrative Law Judge and to the Office of the Public Advisor (see contact information, below) no later than five business days before the date of your hearing.
- You may provide evidence and call witnesses to testify for you. If you will be providing evidence for the record of the hearing, you must provide that evidence to CPED no later than three days before the date of your hearing.

WHERE CAN I GET HELP?

The CPUC's **Public Advisor's Office** can help you file your appeal. The Public Advisor's Office cannot appear at the hearing with you or help you present your appeal but can help you understand the appeal process. The Public Advisor's Office can be reached at:

Telephone: 866-849-8390 or 415-703-2074

Email: public.advisor@cpuc.ca.gov

Mail: CPUC Public Advisor, 505 Van Ness Avenue, San Francisco, CA 94102

**Administrative Law Judge Division
California Public Utilities Commission 505
Van Ness Avenue
San Francisco, CA 94102**



**CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) INSTRUCTIONS
FOR FILING A NOTICE OF APPEAL AND CERTIFICATE OF SERVICE FOR
A CITATION APPEAL**

***Note:** When filing a citation appeal, it is important to review both the specific Citation Program under which your citation has been issued and Resolution ALJ-377. The Pilot Rules enacted in Resolution ALJ-299¹ and these Revised Rules enacted in Resolution ALJ-377² require citation appeals after January 1, 2015 to be filed with the CPUC's Docket Office.³ Appendix A of Resolution ALJ-377 lists the Citation Appellate and General Order Appellate Rules ("Citation Appellate Rules"). Appendix B of Resolution ALJ-377 describes the interaction between Resolution ALJ-377 and the individual Citation Programs in existence as of the adoption of Resolution ALJ-377. The cited entity initiating the appeal is referred to as an "appellant" under Resolution ALJ-377, Citation Appellate Rule 2.*

Resolution ALJ-377 can be found at the following link and the citing authority should provide a copy of it when the citation is issued:

<https://docs.cpuc.ca.gov/ResolutionSearchForm.aspx>.

A copy of the Citation Program under which the citation is issued can be obtained from the CPUC Division issuing the citation.

It is useful to also refer to the CPUC's Rules of Practice and Procedure (P&P Rules), as they are referred to in Resolution ALJ-377. The P&P Rules can be found on the CPUC's webpage <http://www.cpuc.ca.gov/codelawsrules/>.

The requirements for formatting your document and how and where to file are generally set forth in P&P Rules 1.5, 1.6 and 1.13. There is no filing fee for filing the Notice of

¹ Effective as of January 1, 2015

² Effective as of July 1, 2020

³ Rule 2 of the Citation Appellate Rules refers to a "Citation Program" as the "individual applicable statute, General Order or Resolution authorizing the issuance of a citation or authorizing the revocation of a license."

Appeal. If you are filing your Notice of Appeal in hard copy, then submit an original and six exact copies of the document (including any attachments but not including the transmittal letter, if any.) (See P&P Rule 1.13(a)(2).) If you are filing electronically, please refer to the requirements in P&P Rule 1.13(b).

If you need general assistance with or have a question about filing the Notice of Appeal, contact the CPUC's Public Advisor's Office:

The Public Advisor – CPUC
505 Van Ness Avenue
San Francisco, CA 94102 (866)
849-8390 (toll free)
public.advisor@cpuc.ca.gov

Specific Instructions for Using the Citation Appeal Forms:

Insert the following information into the blanks with the corresponding letters.

NOTICE OF APPEAL FORM

- A. Insert the name of the person or entity filing the Notice of Appeal. (Citation Appellate Rule 3 and P&P Rule 1.6(b).)
- B. Insert the number of the citation being appealed and the date the citation was issued. (e.g., Citation Number 12345 issued on January 1, 2015). (Citation Appellate Rule 3.)
- C. Insert the amount of the citation. (Citation Appellate Rule 3.)
- D. Insert the name of the person or entity filing the Notice of Appeal.
- E. Insert the date of the citation that is appealed. (Citation Appellate Rule 5.)
- F. Insert the amount of the fine.

- G. Insert the date of any extension of time to file the appeal granted by CPED (if applicable).
- H. Insert the rationale for the appeal as specifically instructed in the Citation Program. If a Citation Program is silent on instructions for setting forth the rationale for the appeal, the Notice of Appeal must state the grounds for the appeal. The Notice of Appeal must also set forth additional items, if any, as required by the Citation Program. (Citation Appellate Rule 5.) If the Citation Program authorizes appellant to request an extension of time from a Division Director to file a Notice of Appeal, any extension received must be in writing and attached to the Notice of Appeal. (Citation Appellate Rules 4 and 5.)
- I. Insert the date that the Notice of Appeal is signed.
- J. Insert the name of the city in which the Notice of Appeal is signed.
- K. Insert the signature, name, mailing address, telephone number and, if available, electronic mail address of the person authorized to receive service and other communications on behalf of the person tendering the document. (P&P Rules 1.6 and 1.8.) This information is very important because it will be used by the CPUC to develop the official service list to give you notice of further required actions, hearing dates, etc. in the citation appeal. **Note:** *P&P Rule 1.8 requires this document to be signed. Please read the rule carefully as to who may sign the document, how to handle a document tendered on behalf of more than one person, and what representations are made by the signature.*
- L. List here all attachments to the Notice of Appeal and make sure the documents are attached in the format and manner required by P&P Rules 1.5 and 1.13. **Note:** *Citation Appellate Rule 4 requires any authorization of an extension of time to file a Notice of Appeal to be writing and attached to the Notice of Appeal. Rule 4 states: "Unless authorized by a Citation Program, there shall be no extension of time to file a Notice of Appeal from a citation issued pursuant to a Citation Program.....Any authorization of an extension of time to file a Notice of Appeal must be made by the Director (or designee) of the Commission Division*

which issued the citation, in writing, subject to the provisions of the Citation Program, and must be attached to the Notice of Appeal.”

CERTIFICATE OF SERVICE FORM

Note 1: *If you are filing the Notice of Appeal in hard copy, the Certificate of Service MUST be attached to the Notice of Appeal. If you are filing the Notice of Appeal electronically, according to P&P Rule 1.13(b), the Certificate of Service must be transmitted with the document as a separate document when filing electronically, and this separate document must have its own caption. (See generally Citation Appellate Rule 6 and P&P Rule 1.9(e).)*

Note 2: *A Citation Appeal must be served at a minimum on the Chief Administrative Law Judge (with a copy to: ALJ_Div_Appeals_Coordinator@cpuc.ca.gov), and on the Director of the Consumer Protection and Enforcement Division, on the same day that the Notice of Appeal is filed. The Notice of Appeal must also be served on other entities if required by the Citation Program. (See Citation Appellate Rule 6.)*

- M. Insert the date that the Notice of Appeal is served.

- N. Insert the names and addresses (and email addresses if served electronically) of the persons served with the Notice of Appeal. The generic position names and addresses for the Chief Administrative Law Judge and Director of the Consumer Protection and Enforcement Division are listed on the template. Because the persons in these positions may change, you will have to look up the individual names and email addresses to insert in the template. These names and email addresses can be found on the Commission website.

- O. Insert the date the Certificate of Service is signed.

- P. Insert the name of the city in which the Certificate of Service is signed.

- Q. The person who serves the Notice of Appeal must sign the Certificate of Service and their name must be printed under the signature line.

PRIVACY NOTICE FORM

***Note:** The citation appeal is filed with the CPUC, becomes a public record, and will be posted on the Commission's website. Therefore, any information you provide in the Notice of Appeal, including but not limited to, your name, address, city, state, zip code, telephone number, email address, the facts of your rationale for the citation appeal and any other facts stated therein, will be available on-line for later public viewing. The Privacy Statement attached to the Notice of Appeal must be filled out.*

In limited circumstances, the CPUC may file a document under seal. If you wish to seek to file the Notice of Appeal with some or all of the information under seal, you cannot file electronically and must file in hard copy. Furthermore, that document must be tendered with a motion setting forth the rationale and legal citations as to why portions of the document should be filed under seal and tendered as follows. The Notice of Appeal itself and requisite exact copies should be tendered in both a redacted form (e.g., the document with the alleged confidential information excised) and unredacted form (e.g., a complete copy of the document, with both the public and allegedly confidential information included, in a sealed envelope). It is anticipated that Notices of Appeal for citation appeals will be filed as public documents. In the unlikely event you believe that there are legal grounds for filing a portion of the Notice of Appeal under seal, it may be helpful to consult a private attorney or representative to assist in your representation. However, please note that the timeframes for filing a Notice of Appeal in many citation appeals are short, so you should commence this process as soon as possible.

R. Sign and date the Privacy Notice and print your name under the signature.

**See Next Page for Notice
of Appeal Form**

***(Note: The capital letters in parenthesis correspond to the instruction sheet and are not part of the official filing.)**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Appeal of

(A)* _____

_____ from (B) _____

In the amount of (C) _____ issued by the California Public

Utilities Commission Consumer Protection and Enforcement

Division

(Leave blank for PUC use)

NOTICE OF APPEAL

(D) _____ files this Notice of Appeal from the citation issued on

(E) _____ with a fine amount of (F)\$ _____.

An extension was granted by CPED (if applicable) to (G) _____ to file this appeal.

The rationale for the appeal is as follows:

(H) _____

Dated (I) _____, at (J) _____, California.

(K) _____

Attachments

(L) _____

CERTIFICATE OF SERVICE

(Note: The Certificate of Service is attached to the Notice of Appeal only when filing by hard copy. If filing by electronic copy, you must file the Certificate of Service as a separate document. A template for the Certificate of Service as a separate document is also attached to this package.)

I certify that on (M) _____, I have by mail this day served a true copy of the original attached Notice of Appeal on:

(N) (Insert Name of Chief Administrative Law Judge _____), Chief Administrative Law Judge, California Public Utilities Commission, 505 Van Ness Avenue, 5th Floor, San Francisco, CA 94102, (Insert email of Chief Judge) _____; [ALJ Div Appeals Coordinator@cpuc.ca.gov](mailto:ALJ_Div_Appeals_Coordinator@cpuc.ca.gov) (electronically); (Insert Name of Director of Consumer Protection and Enforcement Division _____), Director, Consumer Protection and Enforcement Division, 505 Van Ness Avenue, San Francisco, CA 94102, (Insert email of Director of CPED) _____); and (Insert the names, addresses and emails of anyone else required to be served by the Citation Program you are cited under):

_____.

Dated (O) _____, at (P) _____, California.

(Q)

Privacy Notice

This message is to inform you that the Docket Office of the California Public Utilities Commission (CPUC) intends to file the above-referenced Notice of Appeal electronically instead of in paper form as it was submitted.

Please note: Whether or not your Notice of Appeal is filed in paper form or electronically, Notices of Appeal filed with the CPUC become a public record and may be posted on the CPUC's website. Therefore, any information you provide in the Notice of Appeal, including but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the rationale of your Notice of Appeal may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced Notice of Appeal.

(R)

Signature (same as person authorized to sign the Notice of Appeal)

Date

Print Name

**See Next Page for Certificate of Service Form
For Electronic Filings**

****(Note: The capital letters in parenthesis correspond to the instruction sheet and are not part of the official filing.)***

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Appeal of

(A)* _____

_____ from (B) _____

In the amount of (C) _____ issued by the California Public

Utilities Commission Consumer Protection and Enforcement

Division

(Leave blank for PUC use)

CERTIFICATE OF SERVICE

I certify that on (M) _____, I have by mail this day served a true copy of the original attached Notice of Appeal on (N)(Insert Name of Chief Administrative Law Judge _____, Chief Administrative Law Judge, California Public Utilities Commission, 505 Van Ness Avenue, 5th Floor, San Francisco, CA 94102, (Insert email of Chief Judge);

[ALJ Div Appeals Coordinator@cpuc.ca.gov](mailto:ALJ_Div_Appeals_Coordinator@cpuc.ca.gov) (electronically); (Insert Name of Director of Consumer Protection and Enforcement Division)_____,
Director, Consumer Protection and Enforcement Division, 505 Van Ness Avenue San Francisco, CA 94102, (Insert email of Director of CPED)_____);
and (Insert the names, addresses and emails of anyone else required to be served by the Citation Program you are cited under):

Dated (O)_____, at (P)_____, California.

(Q)

(Note: This Certificate of Service as a separate document is to be used if you are filing the Notice of Appeal electronically. If you are filing the Notice of Appeal by hard copy, you must attach the Certificate of Service to the Notice of Appeal.)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-187

Administrative Law Judge Division
September 22, 2005

RESOLUTION

RESOLUTION ALJ-187. Adopts Procedures for Appeal of Citations Issued to Household Goods Carriers, Charter Party Carriers, and Passenger Stage Corporations.

By a series of previous resolutions, the Commission has developed a program under which the Consumer Protection and Safety Division (CPSD) is authorized to issue citations to various classes of carriers for violation of the Public Utilities Code or Commission orders. In turn, a carrier issued such a citation may accept the fine imposed or contest it through a process of appeal. Now, in an effort to make this program more comprehensive and this process more efficient, the Commission has prepared new procedures to govern the appeal of these citations.

A draft of this resolution was issued on August 19, 2005, for public review and comment. No one filed comments. The resolution is adopted as originally proposed with minor clarifications.

IT IS THEREFORE RESOLVED that the following procedures shall govern appeals of citations for violation of statutes or Commission orders relating to household goods carriers, charter party carriers, and passenger stage corporations:

1. *Citation: Contents.* The citation served upon the respondent by the investigator shall include:

- (a) A specification of each statute or Commission order allegedly violated;
 - (b) A statement of the facts upon which each alleged violation is based;
 - (c) A statement that the respondent may either pay the amount of the fine set forth in the citation or appeal the citation, as set forth herein, and that the respondent will forfeit the right to appeal the citation by failing to do either of these things within the allowable period;
 - (d) An explanation of how to file an appeal, including an explanation of the respondent's right to have a hearing, to have a representative at the hearing, to request a transcript, and to request an interpreter; and
 - (e) A form of Notice of Appeal, and the form for requesting an interpreter.
2. *Citation: Response.* The respondent, within 20 days after the date of service of the citation, shall either remit payment of the full amount of the fine to CPSD, agree with CPSD on conditions for payment, or serve a Notice of Appeal upon CPSD. Upon request made to CPSD before the expiration of this deadline, the time to pay the fine or serve a Notice of Appeal may be extended by CPSD for a reasonable period not to exceed 30 days. CPSD may, in its discretion, grant one additional extension at the request of the respondent.
3. *Citation: Payment of fine; default.* If the respondent pays the full amount of the fine within the time allowed hereunder, the citation shall become final. If the respondent, within the time allowed pursuant to Paragraph 2, fails to pay the full amount of the fine or to file a Notice of Appeal, or if the respondent, having entered into an agreement with CPSD, fails to comply with any provision of that agreement, the respondent shall be in default, and the citation shall become final. In this event, the respondent shall have forfeited its right to appeal the citation, and CPSD shall immediately suspend the respondent's license. If the respondent fails to pay the full amount of the fine within 30 days thereafter, CPSD shall revoke the respondent's license, and may take any other action provided by law to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.
4. *Citation: Appeal.*
- (a) The Chief Administrative Law Judge shall designate an Administrative Law Judge to hear appeals of citations.
 - (b) Appeals of citations shall be heard in the Commission's San Francisco or Los Angeles courtrooms on regularly scheduled days. Appeals shall be calendared accordingly, except that a particular matter may be recalendared at the direction of the designated Administrative Law Judge.
 - (c) The appeal shall be brought by serving a Notice of Appeal upon CPSD, and the respondent shall indicate the grounds for the appeal in the notice. CPSD shall promptly advise the Chief Administrative Law Judge upon receipt of a timely Notice of Appeal.
 - (d) Upon advice from CPSD that a citation has been appealed, the Chief

Administrative Law Judge shall promptly forward the matter to the designated Administrative Law Judge, who shall set the matter for hearing on the first Citation Calendar not less than 10 days after advice of the appeal is received from CPSD. The Administrative Law Judge may, for good cause shown or upon agreement of the parties, grant a reasonable continuance of the hearing.

- (e) The respondent may order a transcript of the hearing, and shall pay the cost of the transcript in accordance with the Commission's usual procedures.
 - (f) The respondent shall be entitled to the services of an interpreter at the Commission's expense upon written request to the Chief Administrative Law Judge not less than three business days prior to the date of the hearing.
 - (g) The respondent may be represented at the hearing by an attorney or other representative, but such representation shall be at the respondent's sole expense.
 - (h) At the hearing, CPSD shall open and close. The Administrative Law Judge may, in his or her discretion, alter the order of presentation. Formal rules of evidence do not apply, and all relevant and reliable evidence may be received in the discretion of the Administrative Law Judge.
 - (i) Ordinarily, the appeal shall be submitted at the close of the hearing. In the discretion of the Administrative Law Judge upon a showing of good cause, the record may be kept open for a reasonable period to permit a party to submit additional evidence or argument.
 - (j) The Administrative Law Judge shall issue an order resolving the appeal not later than 30 days after the appeal is submitted, and the order shall be placed on the first available agenda, consistent with the Commission's applicable rules.
 - (k) From the date that CPSD receives a Notice of Appeal to and including the date when the final order is issued, neither the respondent nor the investigator, or agent or other person on behalf of the respondent or investigator, may communicate regarding the appeal, orally or in writing, with a Commissioner, Commissioner's advisor, or Administrative Law Judge, except as expressly permitted under these procedures.
5. *New Operating Authority.* A carrier whose license has been revoked hereunder may apply for new operating authority upon paying the fine in full. The application shall document (1) full payment of the fine, (2) correction of all violations for which the carrier was cited, (3) actions the carrier proposes in order to prevent future violations, and (4) any other evidence demonstrating the carrier's ability and commitment to conducting its proposed operations in compliance with statutes and Commission orders.

This resolution becomes effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on September 22, 2005, the following Commissioners approving it:

/s/ STEVE LARSON STEVE

LARSON

Executive Director

MICHAEL R. PEEVEY

President

GEOFFREY F. BROWN

SUSAN P. KENNEDY

DIAN M. GRUENEICH

JOHN A. BOHN

Commissioners

203877

Resolution ALJ-187 ALJ/VDR/hl2

CERTIFICATE OF SERVICE

I certify that I have this day served the following documents on North Bay Wine Tour, LLC

1. Administrative Citation T.24-12-006 dated 12/31/2024
2. Investigation report and Attachments
3. Citation Compliance Agreement
4. Credit/Debit Card Authorization Form
5. How to File an Appeal
6. *Notice of Appeal Form* and *Certificates of Service Form* (from Resolution ALJ-377)
7. Resolution ALJ-187
8. Certificate of Service

Date: 12/31/2024

*Ronald Truss*_____

Ronald Truss

Public Utilities Regulatory Analyst II