

CALIFORNIA PUBLIC UTILITIES COMMISSION
Penalties and Restitutions Ordered by CPUC
1999 to Feb. 21, 2012

Decision/ Case Number	Utilities	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Total Fines and Restitutions by Year	Description(s)
99-02-016	America's Tele-Network Corp. (ATN)	\$ -	\$ 90,600	\$ 90,600		The Commission approved a settlement between Consumer Services Division (CSD), the former name of Consumer Protection and Safety Division (CPSD), and ATN which required ATN to cease providing service in California for two years and provided for \$50 restitution payments to California customers who disputed a primary interexchange carrier change.
99-06-001	Future Telephone Communications (FTC)	\$ 500,000	\$ 500,000	\$ 1,000,000		The Commission found that FTC billed 30,664 California consumers for service they did not order and ordered FTC to pay a fine of \$100,000 within 30 days and an additional \$400,000 if it applied for operating authority within the next 10 years. The Municipal Court of Los Angeles County ordered restitution.
99-07-029	Pacific Gas & Electric Co. (PG&E)	\$ 6,000,000	\$ 22,700,000	\$ 28,700,000		In this decision, the Commission adopted a settlement agreement between PG&E, CSD, and two other parties in the Commission's investigation into PG&E's compliance with tree-line clearance standards. Under the settlement, PG&E shareholders will fund up to \$ 22.7 million in vegetation-related activities and programs over the next five years and make an immediate, one-time \$ 6 million contribution to the California general fund. The settlement also establishes various forward-looking PG&E/CSD vegetation management inspection and compliance protocols.
1999 Total					\$ 29,790,600	
00-04-012	ACI Communications (ACI)	\$ -	\$ 200,000	\$ 200,000		In this decision, the Commission ordered ACI to pay \$200,000 in restitution to 10,000 customers in the amount of \$20 each and revoked ACI's operating authority. The Commission found ACI switced subscribers' long distance service provider without the subscribers' authorization.
00-12-050	Coleman Enterprises & QAI	\$ -	\$ 245,000	\$ 245,000		The Commission approved two settlement agreements entered into between CSD and respondents. Under the terms of the settlement agreements the respondents will provide \$245,000 for restitution, a payment of approximately \$25 to each of approximately 9,700 California customers who had their long distance service changed without authorization. Coleman will surrender its operating authority in California, and neither Coleman nor its principals will be able to apply for operating authority in California for a period of at least five years. In order to avoid a repetition of the dubious marketing practices alleged in this investigation, respondent QAI, a billing agent that provided verification and other services to Coleman, will restructure its business relationships with the resellers to which it provides services. QAI will require all third-party verifiers with which it contracts to ask customers clearly whether they are authorizing a change in their long distance and/or local toll service provider.
2000	Household Goods	\$ 10,000	\$ -	\$ 10,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2000 Total					\$ 455,000	

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01-04-035	Coral Communicaitons	\$ 5,100,000	\$ 4,600,000	\$ 9,700,000		The Commission found Coral engaged in an illegal practice known as "cramming" by placing nearly \$6 million of unauthorized charges on the local telephone bills of over 250,000 Californians. The Commission ordered full refunds of all charges assessed by Coral. Because Coral was allegedly defunct and insolvent. The Commission ordered the billing intermediaries and factors to disgorge all funds retained from Coral billings in order to make as complete a refund as possible to customers. The Commission also ordered its General Counsel to take all reasonable steps to secure Coral assets for reparations to Coral's California victims.
01-04-036 and 03-04-062	USP&C	\$ 1,750,000	\$ -	\$ 1,750,000		In this decision, the Commission found that USP&C violated PU Code sections 2890(e)(2)(A) and (B), and imposed a fine of \$1,750,000. The Commission ordered all California Local Exchange Carriers to cease permanently providing USP&C billing and collection services. The Commission also ordered USP&C to show cause why it (1) should not be required to disgorge all amounts retained from unauthorized billings, and (2) should not be fined for failing to comply with PU Code sections 2889.9 and 2890.
01-09-017 and 02-08-074	Vista Group International	\$ 7,000,000	\$ 215,469	\$ 7,215,469		The Commission found that Vista failed to adequately supervise its telemarketers, so that thousands of customers switched long distance providers after receiving misleading solicitations and inadequate information about the rates and switching charges. For these unlawful acts, the Commission concluded that a \$7.0 million fine was warranted and also ordered reparations of \$20 for each business line of each aggrieved customer.
01-09-058	Pacific Bell	\$ 25,000,000	\$ -	\$ 25,000,000		The Commission imposed a fine of \$25.55 million for Pacific Bell's violations of the Caller ID regulations and incomplete disclosure of price information in violation of PU Code sections 451, 2896, and Tariff Rule 12. The Commission also directed Pacific Bell to rewrite Tariff Rule 12 to ensure customer service requests are fulfilled prior to subjecting customers to marketing pitches.
2001	Household Goods	\$ 40,000	\$ -	\$ 40,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2001	Passenger Carriers	\$ 2,000	\$ -	\$ 2,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2001 Total				\$ 43,707,469	

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02-04-020	VarTec Telecom	\$ 80,000	\$ 2,525	\$ 82,525		The Commission adopted a settlement between CSD and VarTec. Pursuant to the settlement, VarTec admits four violations occurred: 1) VarTec sold U.S. Republic Communications, Inc. (USRC) without prior Commission authorization. 2) USRC failed to provide its customers with notice of the sale of USRC. 3) VarTec purchased Choctaw without Commission authorization. 4) VarTec sold Choctaw to 1-800-Reconex without Commission authorization. VarTec will pay a fine of \$20,000 for each of the violations, totaling \$80,000. VarTec will also pay restitution of \$25 to each of 101 former long distance customers of USRC who alleged unauthorized long distance charges by USRC.
02-06-073	Talk America, Inc.	\$ 625,200	\$ 374,800	\$ 1,000,000		The Commission approved a settlement between CSD and Talk resolving allegations that Talk changed customers' long distance carrier without their authorization. Talk will make various payments totaling \$1 million. Of this sum, \$374,800 is for restitution to 14,992 consumers in the amount of \$25 each, and \$625,200 constitutes a fine and related expenses for distributing the restitution to eligible customers.
02-06-075	Long Distance Charges, Inc. & Tel-Save	\$ 136,000	\$ 204,000	\$ 340,000		Under the settlement agreement, the respondents will make various payments totaling \$340,000. Of this sum, \$152,000 is for customer restitution, \$136,000 represents a penalty, \$22,000 is for notifying customers that they must choose a new long-distance or toll service provider (and to reimburse the customers for the costs of making this change), and \$30,000 is for hiring an independent legal claims administrator.
02-06-077	Telmatch Telecommunications	\$ 1,740,000	\$ 5,500,000	\$ 7,240,000		In this decision, the Commission determined that Telmatch engaged in cramming (imposing unauthorized charges on consumers' telephone bills), that Telmatch should pay reparations and fines, and that Telmatch's operating authority should be revoked.
02-07-034	Accutel Communications	\$ 1,500,000	\$ -	\$ 1,500,000		The Commission found that Accutel billed at least 43,992 California customers for products or services which were either not ordered or not authorized by those customers (cramming). The Commission also found that Accutel switched without authorization the long distance carrier of at least 34 California consumers (slamming).
02-08-063	Pacific Fiber Link, LLC	\$ 22,500	\$ -	\$ 22,500		In this decision, the Commission decided whether penalties should apply to a telecommunications carrier that began trenching and installing a fiber optic project before it received the formal approval of this Commission under the California Environmental Quality Act (CEQA), Pub. Resources Code §§ 21000-21176. The Commission found Pacific Fiber Link began construction wrongfully, in violation of PU Code Section 702 and Commission Rule 17.1 and assessed a penalty of \$22,500.

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02-10-059	Qwest/LCI	\$ 20,340,000	\$ -	\$ 20,340,000		This decision finds that Qwest and LCI violated PU Code Sections 2889.5 and 2890, as well as other statutes, in the course of their marketing activities, and that sanctions are warranted for these violations. Qwest failed to adequately supervise its sales agents so that the agents switched thousands of customers' long distance telephone service without their permission. In some cases, the third-party verification tapes or letters of authorization confirming the switches were falsified. Qwest also placed unauthorized charges on thousands of customers' telephone bills.
02-10-073	SBC/ASI/DSL	\$ 27,000,000	\$ -	\$ 27,000,000		The Commission adopted a settlement between Pacific Bell, Pacific Bell Internet Services, (PBIS), SBC Advanced Solutions, Inc. (ASI), Utility Consumers' Action Network (UCAN) and the CSD in this proceeding involving the companies' billing for DSL services. Under the settlement agreement, Pacific Bell, PBI, and ASI (jointly, Respondents) acknowledge their billing problems and reporting deficiencies, and agree to pay a \$27,000,000 penalty to the State General Fund.
2002	Household Goods	\$ 45,000	\$ -	\$ 45,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2002	Passenger Carriers	\$ -	\$ -	\$ -		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2002 Total				\$ 57,570,025	
03-01-079	Titan Communications	\$ 35,000	\$ -	\$ 35,000		The Commission revoked Titan's operating authority and fined Titan \$35,000 finding that Titan and Christopher Bucci, its sole shareholder and president, misled the Commission in its application filed with the Commission on July 19, 1999. Respondents failed to disclose pending investigations concerning consumer misrepresentation that resulted from slamming allegations against Bucci's prior company, ACI Communications Inc. (ACI), and a state regulatory sanction against Bucci.
2003	Household Goods	\$ 50,000	\$ -	\$ 50,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2003	Passenger Carriers	\$ 22,700	\$ -	\$ 22,700		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2003 Total				\$ 107,700	

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04-04-065	Southern California Edison Co. (SCE)	\$ 656,000	\$ -	\$ 656,000		The Commission examined Edison's electric line construction, operation, and maintenance practices during 1998 through 2000. This decision fined Edison a total of \$656,000 primarily for 30 violations of the Commission's General Order (GO) 95 and GO 128 specifying the requirements for the construction, operation, and maintenance of overhead and underground utility systems. The decision fined Edison \$20,000 for each of these violations. In each of these cases, the Commission concluded that Edison either knew or should have known of the violation and failed to cure it in a timely fashion. The decision also fines Edison \$1,000 for each of 56 violations of GO 165 for Edison's failure to identify unsafe conditions.
04-06-017	NOS Communications	\$ 2,900,000	\$ 50,000	\$ 2,950,000		The Commission adopted a settlement agreement between CPSP and NOS which requires NOS to make payments to the Commission totaling \$2,950,000. Of this sum, \$2,900,000 will be deposited into the State's General Fund, and \$50,000 will be set aside for customer restitution and claims administration. Each of about 1400 customers will receive a restitution payment of \$25.
04-09-007	Verizon	\$ 4,836,000	\$ -	\$ 4,836,000		The Commission ordered CPSP to retain and supervise consultants to conduct a review of Verizon's operations and practices related to Individual Case Basis (ICB) contracts and Verizon to reimburse the Commission for the consultants' costs. The Commission adopted a settlement between Verizon and CPSP under which Verizon will pay \$4,836,000 to the state General Fund in satisfaction of any fines or other remedies that could have been sought or imposed for violation of the Public Utilities Code and of Commission rules relating to ICB and express contracts.
04-09-062 and 07-03-048	Cingular Wireless	\$ 12,140,000	\$ 17,717,740	\$ 29,857,740		Cingular's corporate policy and practice in California did not allow any "grace period" or trial of its wireless service and prohibited early termination of wireless service unless the customer paid an early termination fee (ETF) of \$150. Given Cingular's own testimony that testing wireless service by using the phone is the best way for a customer to ascertain whether the service meets his or her needs, binding that customer in advance to a one or two-year contract constituted an unjust and unreasonable rule and resulted in inadequate, unjust, and unreasonable service in violation of PU Code Section 451 and Commission Decision (D.) 95-04-028. The Commission imposed a penalty of \$12,140,000 and ordered Cingular to reimburse customers who paid part or all of the ETF.
2004	Household Goods	\$ 7,250	\$ -	\$ 7,250		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.

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2004	Passenger Carriers	\$ 35,010	\$ -	\$ 35,010		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
2004 Total					\$ 38,342,000	
05-02-001	Miko Communications	\$ 45,350	\$ -	\$ 45,350		This decision finds that Miko and its sole owner and President Margaret Currie conducted operations in California without operating authority, failed to pay the Commission's telecommunications fees and surcharges, made a material misrepresentation in response to a data request from the Commission's Telecommunications Division, and engaged in a pattern of slamming, i.e., violated regulations governing how telephone subscribers are switched from one interexchange carrier to another. The Commission permanently revoked respondents' operating authority, and fined respondents \$45,035
05-03-004	Vycera Communications	\$ 100,000	\$ -	\$ 100,000		In this decision, the Commission approved a settlement between CPSD and Vycera and its officers and primary shareholders resolving an investigation into allegations that Vycera made unauthorized transfers of telephone service and billed for unordered services. The settlement agreement provides for numerous changes to Vycera's operations, enhanced CPSD oversight, and a \$100,000 fine.
05-06-033	Clear World Communications	\$ 100,000	\$ -	\$ 100,000		The Commission found that two predecessor companies of Clear World operated as unauthorized resellers of long distance service in California between the years 1997 and 1999 and that the assets of one of these companies were transferred to Clear World without authorization. The Commission imposed a fine of \$100,000.
2005	Household Goods	\$ 189,000	\$ -	\$ 189,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2005	Passenger Carriers	\$ 97,800	\$ -	\$ 97,800		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
2005 Total					\$ 532,150	
06-02-003	Pacific Gas & Electric Co. (PG&E)	\$ 500,000	\$ 6,000,000	\$ 6,500,000		The Commission approved a settlement between PG&E, CPSD, and the City and County of San Francisco (CCSF). This proceeding was opened after investigative reports on the 2003 fire at PG&E's Mission Substation were issued. The settlement requires PG&E shareholders to make payments totaling \$6.5 million -- \$6.0 million for five programs and projects to improve electric system reliability and the remainder to the State's General Fund.

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06-10-027	Qwest	\$ 150,000	\$ 30,000	\$ 180,000		In this decision, the Commission approved the settlement agreement between Qwest and CPSD concerning compliance with statutes, decisions, and other requirements applicable to the utility's installation of facilities in California for providing telecommunications service. Under the settlement agreement, Qwest agreed to pay \$150,000 to the State's General Fund and to contribute \$30,000 to three groups that promote awareness of Native American sites, archaeology and history within California.
06-04-035	MCI	\$ 1,300,000	\$ 2,000,000	\$ 3,300,000		In this decision, the Commission approved the settlement agreement between MCI, WorldCom, and MCI WorldCom (collectively, MCI) and CPSD that resolved the Commission's investigation into MCI's alleged slamming and cramming activities. MCI agreed to pay \$2.3 million, in addition to credits it has already paid to affected customers. (MCI estimates its past credits to be in excess of \$1 million.) The \$2.3 million was comprised of up to \$1 million in refunds or credits to affected customers and \$1.3 million as penalties payable to state General Fund.
GIC 85722	SEMPRA	\$ 2,000,000	\$ 105,700,000	\$ 107,700,000		A Settlement Agreement between Sempra, the California Attorney General, and the Commission resolved a complaint that the Sempra companies made certain written and oral representations and other statements before the Commission that allegedly resulted in inadequate resource planning and system capability culminating in periods of curtailment of natural gas service to certain SDG&E non-core customers in 2000 and 2001. The Settlement provides installment payments to be made over 2 years beginning in October 2009. Of the \$105.7 million, \$5.7 million represents a benefit to SDG&E electric ratepayers by offsetting the costs of the electricity procurement group. The remaining \$100 million represents the value of an option to be exercised in 2007.
2006	Household Goods	\$ 82,008	\$ -	\$ 82,008		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2006	Passenger Carriers	\$ 88,000	\$ -	\$ 88,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2006 Total				\$ 117,850,008	
CGC07462325	Devine Communications	\$ 118,000	\$ -	\$ 118,000		As a result of the Commission's work with the California Attorney General, the Superior Court of California issued a judgment requiring California prepaid calling card companies Devine Communications and Megalink Telecom (Devine) to clearly disclose all fees, surcharges, and other costs associated with the use of their prepaid calling cards. The judgment also imposed civil penalties of \$118,000 on Devine and prohibited misleading advertising.

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07-05-054	Sebastian Enterprises	\$ 15,000	\$ -	\$ 15,000		In this decision, the Commission approved the settlement agreement between Sebastian Enterprises, Inc. (SEI), its subsidiary Fortel, Inc. (Fortel) or Foresthill Telephone Company (FTC) and CPSD for violations resulting from respondents' obtaining a loan and entering into a merger without the Commission's prior approval. SEI and FTC agreed to pay the state General Fund \$15,000.
07-09-041	Pacific Gas & Electric Co. (PG&E)	\$ -	\$ 35,000,000	\$ 35,000,000		This decision finds that Pacific Gas and Electric Company (PG&E) systematically violated its tariff Rule 9A by failing to issue bills at regular intervals based on actual metering data. The decision also finds that PG&E violated its tariff Rule 17.1 by issuing backbills related to: 1) periods of no bills ("delayed bills) and 2) periods of estimated bills, where the cause for the estimation was within PG&E's control, beyond the time limits permitted under the tariff. The Commission ordered PG&E to refund, at shareholder expense, approximately \$35 million for these unauthorized charges.
2007	Slamming Citations	\$ 18,000	\$ -	\$ 18,000		Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2007	Household Goods	\$ 51,500	\$ -	\$ 51,500		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2007	Passenger Carriers	\$ 182,675	\$ -	\$ 182,675		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
2007 Total					\$ 35,385,175	
08-09-038	Southern California Edison Co. (SCE)	\$ 30,000,000	\$ 115,714,000	\$ 145,714,000		This decision concludes that Southern California Edison Company (SCE) employees and management manipulated and submitted false data in claiming Performance Based Ratemaking (PBR) rewards. SCE is ordered to: 1) Refund to its ratepayers \$28 million in PBR customer satisfaction rewards it has received and forgo an additional \$20 million in rewards that it has requested; 2) Refund to its ratepayers all \$20 million in PBR health and safety rewards it has received and forgo an additional \$15 million in rewards that it has requested; 3) Refund to its ratepayers the portion of its 2003 to 2005 revenue requirement related to the utility's Results Sharing program that was affected by fraudulent data, which the decision finds to be \$32,714,000; and, 4) Pay a fine of \$30 million to the state General Fund for violations of the Public Utilities Code.
2008	Slamming Citations	\$ 20,000	\$ -	\$ 20,000		Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.

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2008	Household Goods	\$ 31,250	\$ -	\$ 31,250		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2008	Passenger Carriers	\$ 252,250	\$ -	\$ 252,250		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
D.08-04-035 in A. 06-02- 023	Golden State Water	\$ 50,000	\$ -	\$ 50,000		
2008 Total					\$ 146,067,500	
09-02-015	NextG Networks of California, Inc. (NextG)	\$ 200,000	\$ -	\$ 200,000		In this decision, the Commission adopted a settlement agreement between NextG and CPSD to resolve issues relating to the allegation that NextG violated the terms of its limited facilities-based Certificate of Public Convenience and Necessity (CPCN) by engaging in ground-disturbing activities related to construction and Rule 1.1 of the Commission's Rules of Practice and Procedure. NextG agreed to pay the state General Fund \$200,000.
09-04-009	Bigredwire	\$ 20,000	\$ 41,265	\$ 61,265		In this decision, the Commission adopted the settlement agreement between Bigredwire.com, Inc. (BRW) and CPSD, wherein BRW agreed to pay a fine of \$20,000 to the state General Fund, for operating in this state without a Certificate of Public Convenience and Necessity (CPCN) and for its failure to pay required fees and surcharges and to file required reports with the Commission. BRW also agreed to pay all fees and surcharges owed to this Commission, plus simple interest at the rate of 10% year, which amounts to \$41,264.80, in installment payments.
09-05-027	Southern California Edison Co. (SCE)	\$ -	\$ 6,000,000	\$ 6,000,000		In this decision, the Commission adopted the settlement agreement between Southern California Edison Company (SCE) and CPSD, which resolved all outstanding issues in Phase 2 of the Performance-Based Ratemaking (PBR) case. SCE agreed to: 1) Credit \$4.0 million to the distribution subaccount of SCE's existing Base Revenue Requirement Balancing Account (BRRBA). Ratepayers will receive the credit as a reduction to SCE's distribution rates when the BRRBA is amortized in rates; 2) forgo its claim for a net system reliability reward of \$2 million, which is comprised of a reward of \$5 million for frequency in 2001 and a penalty of \$3 million for average customer minutes of interruption in 2003; and, 3) not propose any PBR customer satisfaction or employee safety shareholder incentive mechanism before the completion of its 2015 General Rate Case cycle.

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09-05-032	88 Telecom	\$ 8,000	\$ -	\$ 8,000		In this decision, the Commission adopted the settlement agreement between 88 Telecom Corporation and CPSD that resolved issues brought up in CPSD's protest regarding 88 Telecom selling prepaid phone cards in California without authority. 88 Telecom Corporation agreed to pay a fine of \$8,000 to the state General Fund.
09-06-013	Birch Communications	\$ 10,000	\$ -	\$ 10,000		The Commission approved a settlement between CPSD and Birch that provides for its operating authority to be granted, but Birch admits that its initial application violated Rule 1.1 of the Commission's Rules of Practice and Procedure and agreed to pay a fine of \$10,000.
09-07-018	San Diego Gas & Electric (SDG&E)	\$ 500,000	\$ 420,000	\$ 920,000		The Commission adopted the settlement agreement between CPSD and SDG&E which provides that while SDG&E does not admit to any violation of Rule 1.1 of the Commission's Rules of Practice and Procedure, it acknowledges its failure to fully comply with Rule 8.3 and tenders an apology for imprecision in its communications with decision-makers in connection with certain ex parte meetings held during Phase 2. SDG&E commits to pay a total of \$920,000 in shareholder funds in amounts specified for charitable contributions, reimbursement to the Commission for expenses related to this proceeding, and payment to the State's General Fund. Further, SDG&E commits to develop a professional responsibility class and an ex parte best practices manual, both in consultation with the Commission.
09-09-005	Alliance Group Services (AGS)	\$ 2,500	\$ -	\$ 2,500		The Commission found that AGS violated the Settlement Agreement between AGS and CPSD, by failing to file a status report due on September 7, 2007 until after CPSD protested AGS's application for transfer of control and filed a data request asking for a list of AGS's carrier customers. The Settlement Agreement required AGS to file status reports with CPSD every six months.
09-11-010	Cheap2Dial Telephone	\$ 10,000	\$ 3,108	\$ 13,108		The Commission adopted a settlement between CPSD and Cheap2Dial. The settlement requires Cheap2Dial to pay a penalty of \$10,000 to the General Fund and required surcharges, fees, and interest that it owed to the Commission, totaling \$3,108.43.
2009	Slamming Citations	\$ 24,000	\$ -	\$ 24,000		Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and <u>Federal Communications Commission rules.</u>
2009	Resource Adequacy Citations	\$ 1,500	\$ -	\$ 1,500		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy <u>Requirements.</u>
2009	Household Goods	\$ 50,500	\$ -	\$ 50,500		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.

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2009	Passenger Carriers	\$ 295,150	\$ -	\$ 295,150		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2009 Total				\$ 7,586,023	
10-04-033	Calpine PowerAmerica	\$ 225,000	\$ -	\$ 225,000		The Commission approved the settlement between Calpine and CPSD regarding alleged violations of system and local resource adequacy requirements in its 2007 year-ahead compliance filings. By the terms of the settlement, Calpine agreed to pay a fine of \$225,000.
10-04-047	San Diego Gas & Electric (SDG&E)	\$ 14,350,000	\$ -	\$ 14,350,000		CPSD and SDG&E and CPSD and Cox jointly moved for the approval and adoption of their respective Settlement Agreements, which resolve the Commission's Orders Instituting Investigations 08-11-006 and 08-11-007 regarding the Witch, Rice and Guejito fires. Under the terms of the CPSD and SDG&E Agreement, SDG&E will pay \$14,350,000 to the General Fund of the State of California. SDG&E will also reimburse CPSD up to an additional \$400,000 in order to implement a computer work module to assist CPSD.
10-04-047	Cox Communications	\$ 2,000,000	\$ -	\$ 2,000,000		CPSD and SDG&E and CPSD and Cox jointly moved for the approval and adoption of their respective Settlement Agreements, which resolve the Commission's Orders Instituting Investigations 08-11-006 and 08-11-007 regarding the Witch, Rice and Guejito fires. In accordance with the terms of the CPSD and Cox Agreement, Cox will pay \$2,000,000 to the General Fund of the State of California.
10-05-028	Speedypin Prepaid	\$ 13,000	\$ -	\$ 13,000		This decision adopts a settlement between CPSD and Speedypin Prepaid and grants a registration CPCN to Speedypin Prepaid to provide services in California. Among other things, the Settlement Agreement requires Applicant to pay a penalty of \$13,000 to the General Fund.
10-06-033	Talton Communications	\$ 11,000	\$ -	\$ 11,000		This decision adopts the Settlement between CPSD and Talton and requires Talton to pay a penalty of \$11,000 for operating in California without Commission authority.
10-07-023	Broadvox-CLEC, LLC (Broadvox)	\$ 5,000	\$ -	\$ 5,000		This decision adopts a settlement agreement between CPSD and Broadvox regarding alleged Rule 1.1 violations in Broadvox's application (A.09-06-004) which includes, as part of the settlement agreement, that Broadvox pay a \$5,000 fine to the General Fund.
10-09-036	Krush Communications LLC (Krush)	\$ 7,500	\$ -	\$ 7,500		This decision adopts a settlement between CPSD and Krush and requires Krush to pay a \$7,500 penalty to the General Fund for operating in California without Commission authority.
10-10-004	San Diego Gas & Electric (SDG&E)	\$ -	\$ 6,750,000	\$ 6,750,000		In this case, SDG&E's revenue requirement request for its Catastrophic Event Memorandum Account (CEMA) was reduced by approximately \$6.75 million related to repair costs for the Witch, Rice, and Guejito fires.

**CALIFORNIA PUBLIC UTILITIES COMMISSION
Penalties and Restitutions Ordered by CPUC
1999 to Feb. 21, 2012**

Decision/ Case Number	Utilities	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Total Fines and Restitutions by Year	Description(s)
2010	Slamming Citations	\$ 1,000	\$ -	\$ 1,000		Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2010	Resource Adequacy Citations	\$ 48,500	\$ -	\$ 48,500		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
2010	Renewable Portfolio Standard Citations	\$ 7,000	\$ -	\$ 7,000		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities for non-compliance with mandatory filing deadlines and reporting requirements of the Renewable Portfolio Standard.
2010	Household Goods	\$ 27,500	\$ -	\$ 27,500		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2010	Passenger Carriers	\$ 236,750	\$ -	\$ 236,750		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
	2010 Total				\$ 23,682,250	
11-01-017	Contractor Strategies Group, Inc. (CSGI)	\$ 66,511	\$ 51,597	\$ 118,108		This decision approves settlements between CPSD and CSGI and it associates regarding alleged violations related to the connection of automatic dialing-announcing devices to customer-owned pay telephones. The settlements provided for fines totaling \$66,511 payable to the General Fund and reparations of \$51,597 to the Telecommunications Consumer Education Fund.
11-03-006	Constellation NewEnergy, Inc. (CNE)	\$ 300,000	\$ -	\$ 300,000		This decision approves a settlement between CPSD and CNE regarding alleged violations of system resource adequacy requirements for January 2009 and requires CNE to make a \$300,000 settlement payment to the General Fund.
11-04-009	NobelBiz VoIP Services, Inc. (NobelBiz)	\$ 12,000	\$ -	\$ 12,000		This decision approves a settlement between CPSD and NobelBiz regarding alleged Rule 1.1 violations in NobelBiz's application (A.10-04-003) and requires NobelBiz to make a \$12,000 penalty payment to the General Fund.
11-05-008	Americatel Corporation (Americatel)	\$ 503,000	\$ 47,000	\$ 550,000		This decision approves a settlement between CPSD and Americatel and provides for Americatel to assure appropriate credits have been issued and to make a \$503,000 settlement payment to the General Fund.
11-07-021	Metropolitan Telecommunications of California Inc. dba MetTel	\$ 8,000	\$ -	\$ 8,000		This decision approves a settlement between CPSD and MetTel regarding alleged Rule 1.1 violations and requiring MetTel to pay an \$8,000 penalty to the General Fund.
11-10-017	Legacy Long Distance International, Inc.	\$ 215,000	in progress	\$ 215,000		This decision approves a settlement between CPSD and Legacy regarding alleged unauthorized billings. Legacy is ordered to pay a \$215,000 penalty to the General Fund and to issue refunds/credits to California consumers who complained about Legacy's billing or were double-billed between 2005 and 2008.

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Decision/ Case Number	Utilities	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Total Fines and Restitutions by Year	Description(s)
11-12-021	Pacific Gas & Electric Co. (PG&E)	\$ 38,000,000	\$ -	\$ 38,000,000		This decision fines PG&E \$38,000,000 related to the natural gas explosion and fire that occurred on December 24, 2008 in Rancho Cordova, California, which resulted in one fatality, other injuries and property damage.
11-12-034	Golden State Water	\$ 1,000,000	\$ 9,500,000	\$ 10,500,000		This decision adopts a settlement between Golden State and the Commission's Division of Water and Audits and provides for Golden State to pay a \$1 million fine to the General Fund and \$9.5 million in refunds to customers for Golden State's lack of management oversight, which led to overpayment by customers.
2011	Slamming Citations	\$ 2,000	\$ -	\$ 2,000		Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2011	Resource Adequacy Citations	\$ 7,000	\$ -	\$ 7,000		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
2011	Renewable Portfolio Standard Citations	\$ 4,000	\$ -	\$ 4,000		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities for non-compliance with mandatory filing deadlines and reporting requirements of the Renewable Portfolio Standard.
2011	Household Goods	\$ 26,000	\$ -	\$ 26,000		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
2011	Passenger Carriers	\$ 126,850	\$ -	\$ 126,850		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of GO 157D (DMV pull notice, drugs, subcarriers, etc.).
2011 Total					\$ 49,868,958	
12-01-009	Pacific Gas & Electric Co. (PG&E)	\$ 100,000	\$ 50,000	\$ 150,000		This decision approves a settlement between CPSD and PG&E regarding alleged violations of certain mitigation measures set forth in the Mitigation Monitoring Plan adopted in D.09-10-049 and requires PG&E to make a settlement payment of \$100,000 to the General Fund and to make a \$50,000 donation to the the Endangered Species Recovery Program at Stanislaus State University.
2012-01-001	Pacific Gas & Electric Co. (PG&E)	\$ 16,760,000	\$ -	\$ 16,760,000		CPSD issued a citation to PG&E pursuant to Resolution ALJ-274 citing reported violations on several leak surveys not having been performed, in compliance with General Order 112-E, for certain pipeline facilities.
12-02-030	Pacific Gas & Electric Co. (PG&E)	\$ 215,000	\$ -	\$ 215,000		This decision approves a settlement between CPSD and PG&E regarding alleged violations of system resource adequacy requirements for March, April, and July 2010 and requires PG&E to make a \$215,000 payment to the General Fund.
2012	Resource Adequacy Citations	\$ 6,660	\$ -	\$ 6,660		Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.

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Decision/ Case Number	Utilities	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Total Fines and Restitutions by Year	Description(s)
2012	Household Goods	\$ 17,500	\$ -	\$ 17,500		Fines issued for operating and/or advertising without a valid permit, engaging workers without evidence of workers' compensation insurance coverage, operating without evidence of public liability insurance coverage, and violations of MAX 4 tariff.
	2012 Total				\$ 17,149,160	
	Total Fines and Restitutions	<u>\$ 228,386,914</u>	<u>\$ 339,707,104</u>	<u>\$ 568,094,018</u>	<u>\$ 568,094,018</u>	