



California Public  
Utilities Commission

# Monthly Activity Report

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CONSUMER PROTECTION AND  
ENFORCEMENT DIVISION

October 2023

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# TRANSPORTATION LICENSING AND ANALYSIS BRANCH (TLAB)

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

## Processing Carrier Applications

TLAB’s Transportation Licensing Section is processing and managing applications for over 7,300 carriers throughout California. Items processed in October 2023 include applications, vehicle and driver updates, vehicle safety inspection results, and other requests. This work is accomplished through the CPUC Transportation Carrier Portal (TCPortal), an online system that allows carriers to submit applications and other requests electronically and make payments online. The TCPortal tracks certain licensing activities as shown in the following tables and figures.

Figure 1. Total Permits & Certificates

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

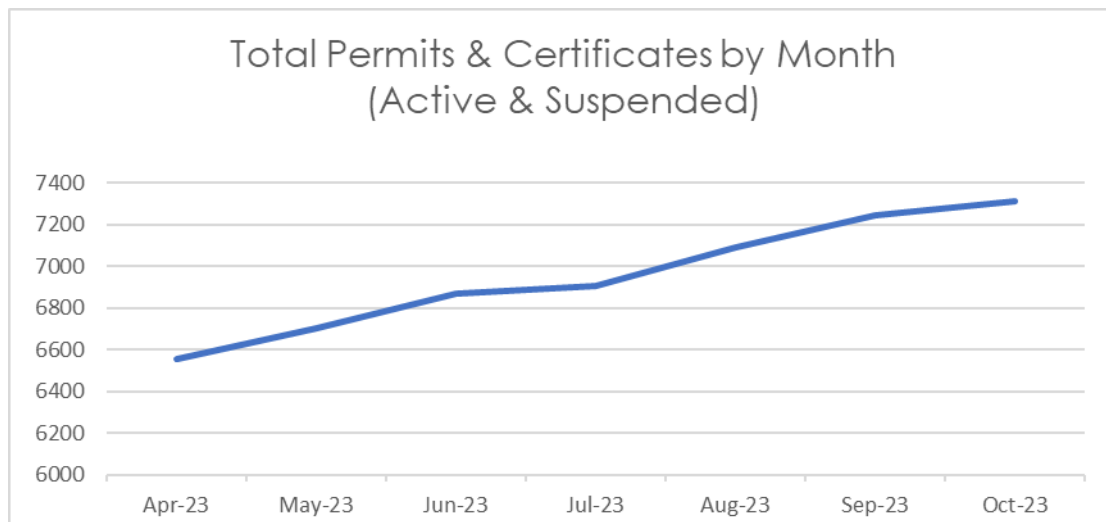


Table 1. Permits and Certificates by Category

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

Carrier Type		Current Total
	Transportation Charter Party	7164
	Passenger Stage Corporation	105
	Vessel Common Carrier	17
	Transportation Network Company	17
	Autonomous Vehicle	8

Figure 2. Monthly Completions of Permit Categories

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

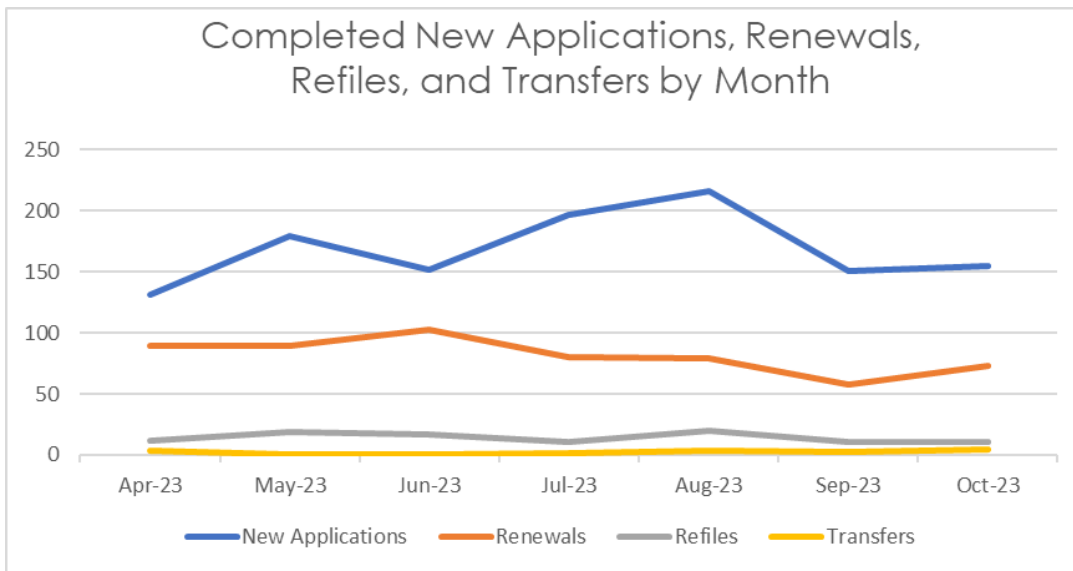


Figure 3. Suspensions and Revocations by Month

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

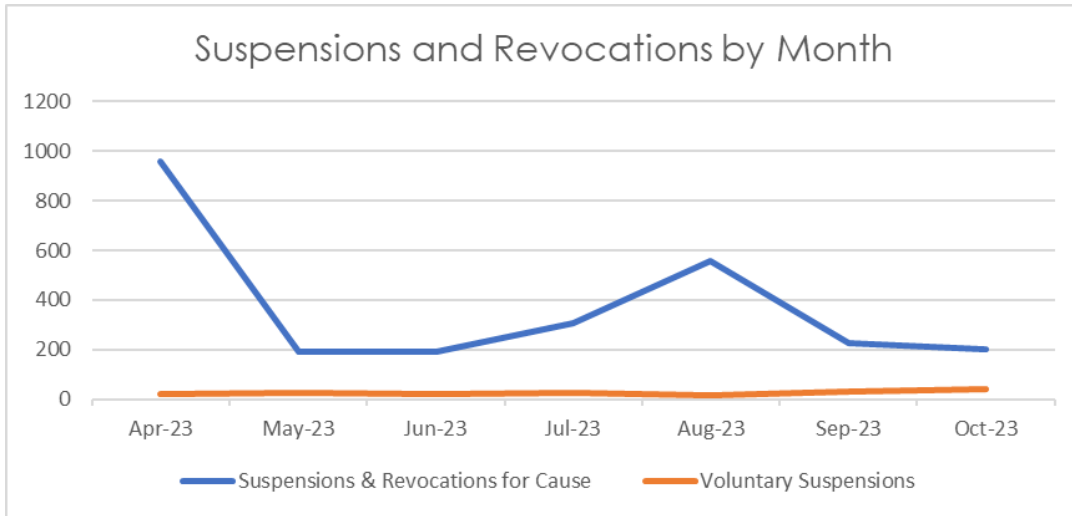
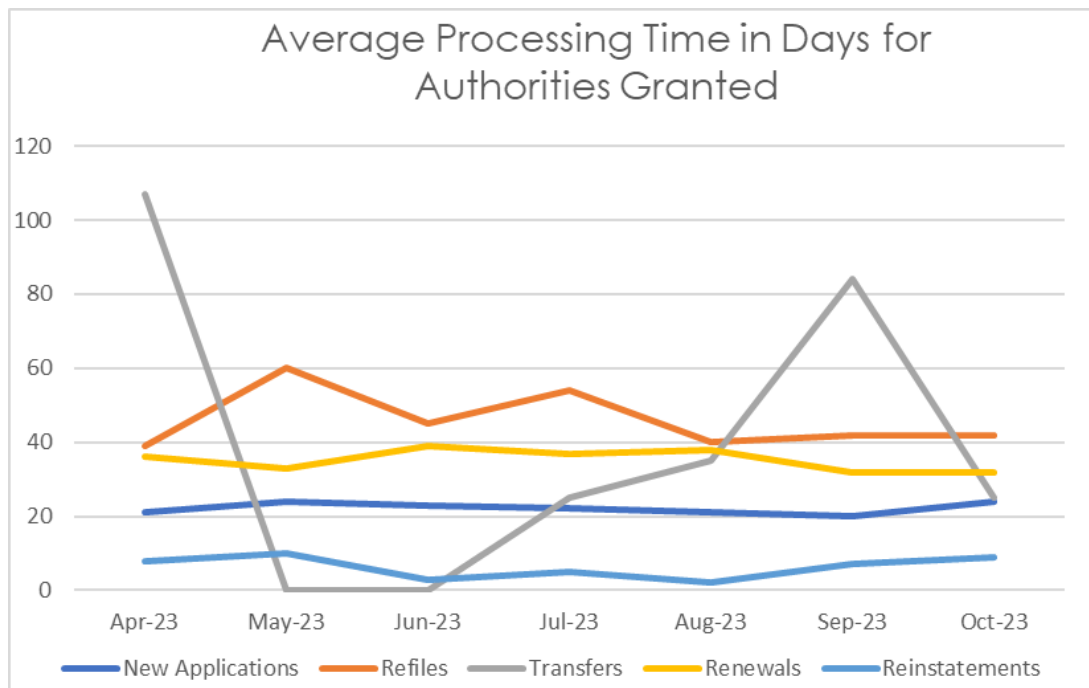


Figure 4. Average Processing Times

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

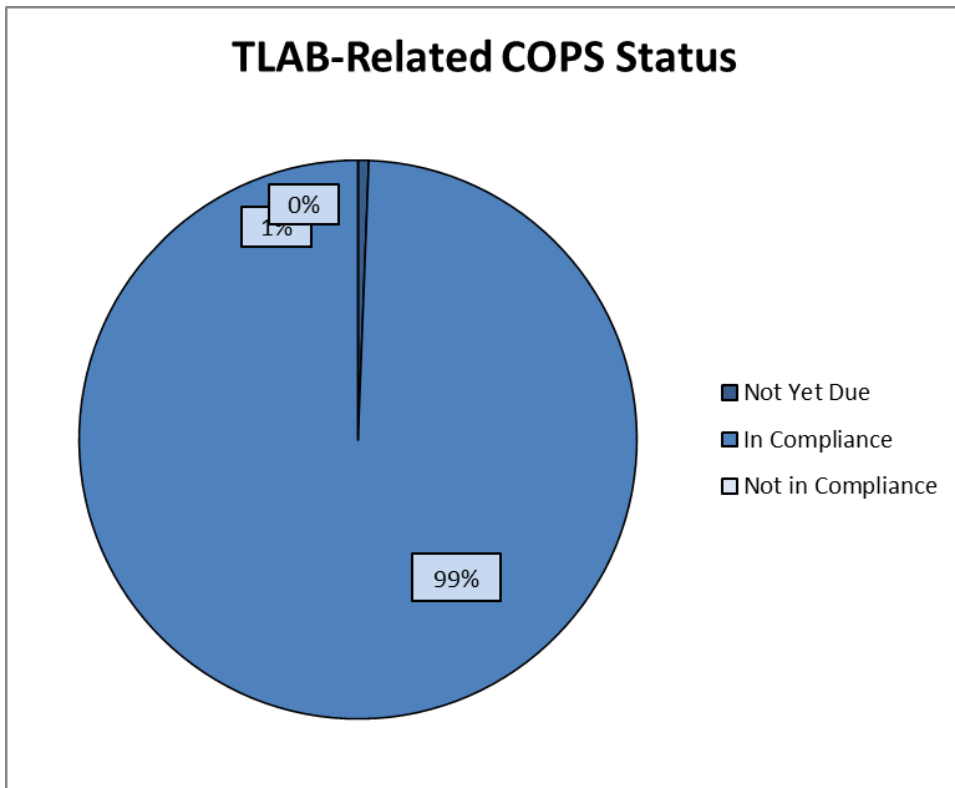
Examples of these items include evidence of insurance coverage filed by the carrier’s insurance provider; evidence of compliance with drug and alcohol testing requirements; and inspection by the California Highway Patrol for modified limousines and vehicles with a seating capacity of 11 or more. Figure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



## Compliance with Ordering Paragraphs

Figure 5. Compliance with Ordering Paragraphs

The Transportation Program is currently responsible for 709 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 California Department of Motor Vehicles (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. Figure 5 shows compliance with the Ordering Paragraphs.



## Docket Activity

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

- 1) **R.12-12-011 / TNC Rulemaking / Mason & Chiv / Shiroma**
  - a) No docket activity.
- 2) **R.19-02-012 / TNC Access Rulemaking / Chiv / Shiroma**
  - b) No docket activity.
- 3) **R.21-11-014 / Clean Miles Standard / Wang / Shiroma**
  - c) No docket activity.

**Applications for Rehearing of Autonomous Vehicle Permits.** On September 14, the City and County of San Francisco filed applications for rehearing of two recently approved resolutions authorizing Cruise and Waymo to expand driverless passenger service:

- A.23-09-014 for Rehearing of Resolution TL-19145 (Cruise)
- A.23-09-015 for Rehearing of Resolution TL-19144 (Waymo)

These remain under consideration by the Commission.

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

- **A.22-05-019 / Neptune Holding Inc.'s Application for Authority to Control Greyhound Lines, Inc. Pursuant to Section 854 of the California Public Utilities Code / 10/19/2023 Motion for final decision on previous motion to dismiss application filed by applicant.**

## Joint Agency Collaboration/Outreach/Training

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

- Bi-monthly TLAB Staff and CARB Staff coordination meeting on the Clean Miles Standard
- Monthly TLAB and Department of Motor Vehicles Autonomous Vehicles meeting
- Monthly TLAB Meeting w/ California Highway Patrol
  - » October 4: TLAB attended the California Highway Patrol Commercial Vehicle Safety Summit

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

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

- Cybersecurity Training
- Hot Weather Heat training
- New Employee Training
- Supervisory Development Training
- TCT Phase 1-training
- Ethics Training

# TRANSPORTATION ENFORCEMENT BRANCH (TEB)

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

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

## Transportation Safety Management System

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TEB reports the following progress for October 2023 for the following program elements.

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

- Field Operations:
  - » Anaheim
  - » John Wayne Airport (SNA)
  - » Murietta
  - » Port America
  - » San Diego Gaslamp District
  - » San Jose Mineta International Airport (SJC)

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

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

- Formal Enforcement Proceedings  
I.21-12-001/Uber Technologies, Inc., and Uber Black Sub-carriers/ALJ Stevens/Commissioner Shiroma. On December 2, 2021, the Commission opened an Order Instituting Investigation (OII) to determine whether passenger carriers violated any provisions of the Public Utilities Code or other applicable rules and regulations.
  - » On August 21, 2023, the statutory deadline for this proceeding was extended to September 30, 2024.
  
- Consumer Affairs Branch (CAB) Referrals:
  - » Effective June 16, 2023, CAB is responsible for all transportation-related complaints. CAB now processes transportation complaints, maintains consumer complaint statistics, and refers complaints that require further investigation to TEB. For the month of October, CAB referred **one (1)** transportation complaint, which was assigned for investigation.

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

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

- Banning California Highway Patrol-Trucker Appreciation Event
- CVSS Commercial Vehicle Safety Training
- LA Department of Transportation Training
- San Jose Mineta International Airport (SJC)

Table 2. TEB Enforcement Activities

12 Month Enforcement Activity	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sept 2023	Oct 2023	Total
Open Investigations	77	74	76	70	76	81	74	70	84	78	65	67	N/A
New Investigations	8	7	13	10	15	12	11	8	19	9	3	15	130
Investigations Completed	11	12	9	15	23	8	20	9	16	10	16	16	165
Investigations Open Longer than 6 Months	25	25	23	37	20	34	13	18	11	12	24	19	N/A
% Of investigations Open Longer than 6 Months	32%	32%	30%	52%	26%	42%	18%	25%	13%	15%	37%	28%	N/A
Cease and Desist Notices	13	2	4	5	7	15	8	8	12	21	18	13	126
Warning Letters	0	0	1	1	0	2	4	3	0	0	1	1	13
Telephone Disconnects	0	0	0	0	0	0	0	0	0	0	0	0	0
Citations	7	1	2	4	2	2	4	1	3	2	2	5	35
Civil Compromise Actions	5	0	1	0	1	2	0	2	5	9	6	6	37
Vehicle Impounds	9	1	0	1	1	1	0	5	4	16	5	1	44

Figure 6. TEB Fines Assessed and Amounts Collected from Investigations  
January 2023 – October 2023

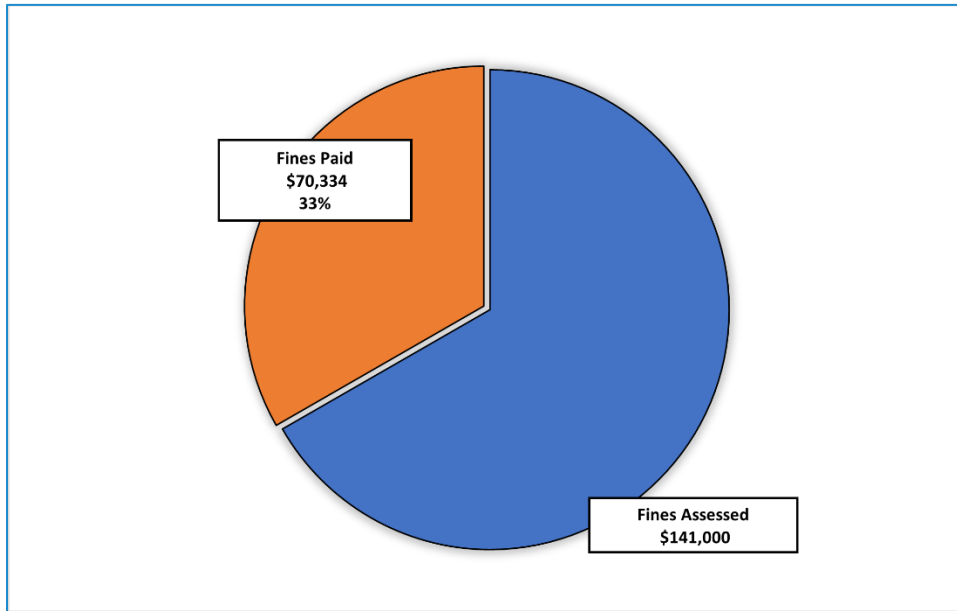


Table 3. Citation Appeal Proceedings

Docket No.	Entity	Status
K.22-11-012	Edwin Torres, North Hollywood, unlicensed	Awaiting an appeal hearing date. No updates for October 2023.
K.23-01-021	Ali B Zanjani dba Royalty Limousine (TCP 16194)	On September 28, 2023, the department received ALJ Rambo’s Final Resolution reducing the \$5,000 fine to \$1000. The \$1,000 fine was paid on 10/11/23.
K.23-04-007	Lkhavasuren Dulmaa, Moraga, unlicensed. (PSG 5804)	Mr. Dulmaa and CPED agreed that Mr. Dulmaa will pay a \$1,000 fine and work with TLAB to obtain TCP authority. ALJ Mathews accepted the settlement agreement and instructed Mr. Dulmaa to withdraw his appeal. Parties awaiting ALJ Mathews’ final Resolution. No updates for October 2023.

Table 4. TEB Field Operations – Probable Violations and Observation Summary

Month	Transportation Charter-Party (TCP)		Transportation Network Companies (TNC)		Passenger Stage Corporations (PSC)	
	Observed	Probable Violations	Observed	Probable Violations	Observed	Probable Violations
Oct 2023	51	18	48	23	0	0
Sep 2023	25	25	66	21	0	0
Aug 2023	61	31	92	42	0	0
Jul 2023	61	5	25	8	0	0
Jun 2023	79	10	18	5	0	0
May 2023	16	3	335	66	1	0
Apr 2023	204	47	113	47	1	1
Mar 2023	79	22	13	6	2	0
Feb 2023	26	10	69	19	0	0
Jan 2023	144	32	110	85	0	0
Dec 2022	72	14	37	20	0	0
Nov 2022	144	28	46	16	0	0

Table 5. Joint Operations with Law Enforcement Agencies

Agency	Operation
Los Angeles Department of Transportation (LADOT)	TCP, TNC and PSC passenger carrier operation at Port America in San Pedro.
San Diego Police Department (SDPD)	TCP and PSC passenger carrier operation in the San Diego Gaslamp District.
San Jose Mineta International Airport Enforcement Unit (SJC)	TCP, TNC, and PSC passenger carrier operation at San Jose Mineta International Airport (SJC).



## UTILITIES ENFORCEMENT BRANCH (UEB)

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

### Monthly Highlights

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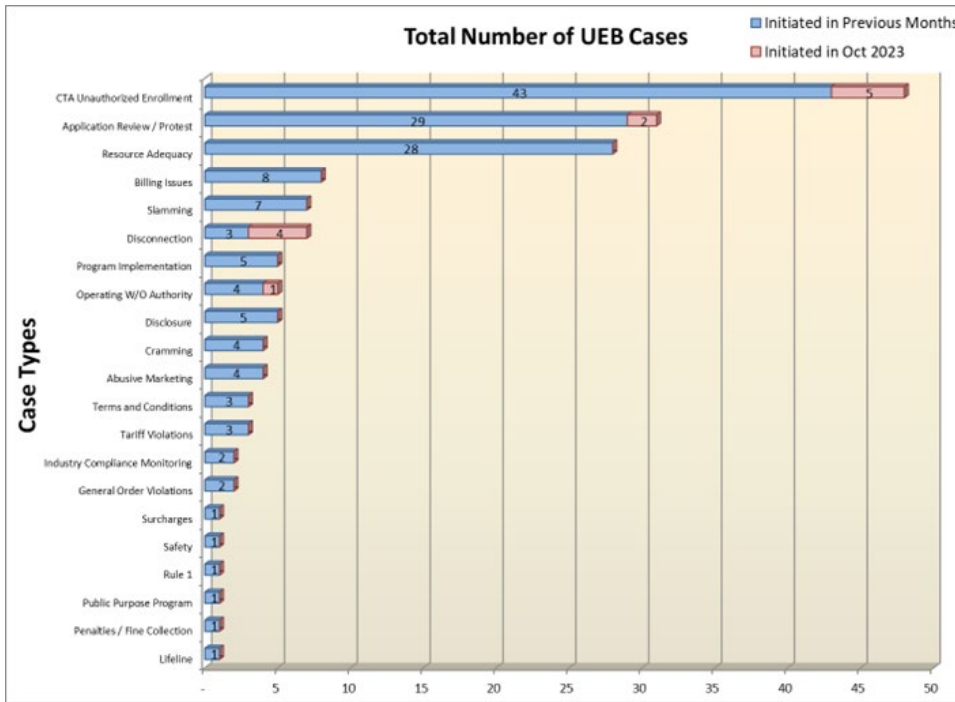
- **Shell Energy North America (SENA) RA Citation Appeal (K.21-11-018):** On October 9, 2023, SENA filed a response to ALJ Cai’s September 29, 2023 ruling directing SENA to respond to questions and concerns related to its subpoena. On October 25, 2023, ALJ Cai issued a ruling denying SENA’s subpoena request.
- **Desert Community Energy (DCE) RA Citation Appeal (K.23-05-017):** On October 13, 2023, CPED and DCE served opening testimony.
- **Lingo Telcom of the West (Resolution UEB-014):** On October 20, 2023, no public comment was received for draft Resolution UEB-014 seeking the Commission’s approval for the Administrative Consent Order and Settlement Agreement with Lingo. Resolution UEB-014 was adopted at the November 2, 2023 Commission meeting. Lingo agrees to pay \$320,000 to the general fund to resolve all issues UEB raised regarding its failure to include the required CAB toll-free number on its customers’ bills.

### Key Activities

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UEB is working on a total of 167 cases. Investigations center primarily on CTA Unauthorized Enrollment, Application Review/Protest, 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.

Figure 7. UEB Total Number of Cases by Type as of October 31, 2023



## Citations/Fines/Reparation

During the month of October 2023, UEB issued two RA Citations totaling \$3,136,213. Cumulative 2023 fines, reparations and penalties imposed are shown below.

Table 7. UEB Fines, Reparations, and Penalties

Date	Citations/Fines/Reparation
January – September 2023	\$21,580,936
October 2023	\$3,136,213
Cumulative 2023	\$24,717,149

- Resource Adequacy (RA) Citation Program:** UEB issues citations and levies fines to enforce Load Serving Entities’ (LSE) compliance with system, local, and flexible resource adequacy requirements pursuant to Resolution E-4195, as modified by Decisions 10-06-036, Decisions 10-06-038, 11-06-022,

14-06-050, 19-06-026, 20-06-031, 21-06-029, 22-06-050 and 23-06-029. In October 2023, UEB issued two citations totaling \$3,136,212.80 and received payment of \$780,285.60 in citation penalty.

- **Disconnection Citation Program:** UEB issues citations to enforce compliance with the disconnections-related consumer protection rules in D.20-06-003. This citation program is applicable to Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas), collectively referred to as California’s large investor-owned utilities (IOUs).
- **Core Transport Agent (CTA):** UEB reviews CTA-related complaints received by the Commission to enforce compliance with the standards for verification of change in provider requirements in D. 18-02-002, and to identify acts constituting grounds for suspension or revocation of registration pursuant to Pub. Util. Code Section 983.5.

In October, UEB reviewed 74 CTA-related complaints received by the Consumer Affairs Branch (CAB) in September 2023 and identified 13 needing investigation for potential unauthorized enrollment. Staff issued five data requests for proof of enrollment authorization. UEB has received proof of enrollment authorization for 10 customers; 2 customers did not have information in the CIMS database for staff to data request; and 1 customer was not enrolled with the subject CTA. Staff is in the process of contacting customers to confirm the legitimacy of the purported proof of authorization. Therefore, staff’s investigation for September is ongoing.

Table 8. 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				
October	74	13	5	10	0	0

## Compliance with Ordering Paragraphs

There were no new Ordering Paragraphs added to UEB’s COPS tracker for the month of September. UEB was responsible for 41 separate Ordering Paragraphs. As of October 2023, 41 of the Ordering Paragraphs (representing 100%) have been complied with, thus none are out of compliance.

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

The numbers reported above tracks compliance with ordering paragraphs assigned to UEB and do not include tracking for compliance with payment of fines, penalties, surcharges, or the like, which are assigned

to Fiscal Office under the COPs system. However, UEB staff also tracks such payments separately in our case management system and informs CPUC Fiscal Office of any identified issues.

## UEB-Related Proceedings

Table 8. 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	Houck
K.19-03-024	Appeal of San Jose Clean Energy to Citation E-4195- 0052 issued on February 27, 2019 by the Consumer Protection and Enforcement Division.	Kim	N/A
K.21-03-005	Appeal of San Diego Community Power to citation E- 4195-98 issued on February 3, 2021 by Consumer Protection & Enforcement Division.	Chiv	N/A
K.21-03-006	Appeal of Western Community Energy to citation E- 4195-99 issued on February 9, 2021 by Consumer Protection & Enforcement Division.	Wercinski	N/A
K.21-11-018	Appeal of Shell Energy North America to citation E-4195-113 issued on October 21, 2021 by Consumer Protection & Enforcement Division.	Cai	N/A
K.22-05-017	Appeal of Orange County Power Authority to citation E-4195-116 issued on April 20, 2022 by Consumer Protection & Enforcement Division.	Petersen	N/A
K.23-05-017	Appeal of Desert Community to citation E-4195-133 issued on April 17, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
K.23-05-019	Appeal of Orange County Power Authority to citation E-4195-134 issued on April 24, 2023, by Consumer Protection & Enforcement Division.	Kelly	N/A
I.22-04-005	Order Instituting Investigation on the Commission’s Own Motion into MetroPCS California LLC Failure to Remit Prepaid Mobile Telephony Service Surcharges and User Fees	Mason	Houck

Docket No.	Title	ALJ	Commissioner
I.22-10-007	Order Instituting Investigation into the Operations and Practices of TC Telephone and Order to Show Cause to Determine Whether Respondents Violated the Laws, Rules, and Regulations Governing the California Universal LifeLine Program	Mason	Shiroma
K.22-10-024	Appeal of Orange County Power Authority to citation E-4195-125 issued on September 16, 2022 by Consumer Protection & Enforcement Division.	Zhang	N/A
K.22-11-007	Appeal of Constellation New Energy to citation E-4195-130 issued on October 7, 2022 by Consumer Protection & Enforcement Division.	Zhang	N/A
A.22-02-020	Application of Dagobah Systems, Inc., dba Dagobah Communications Systems, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Melvin	Reynolds
A.22-10-005	Application of Digital Future UUC LLC for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	Tran	Shiroma
A.22-11-011	Application of Kloud Communications, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Wilson	Shiroma

## Outreach/Training/Other Activities

**State National Action Plan (SNAP):** On October 19, 2023, the FCC presented the issues of Artificial Intelligence (A.I.) and robocalls. The FCC believes A.I. can both help limit and increase the effectiveness of robocalls. The FCC is currently discussing regulations around the use of A.I. in telecommunications.