

CERTIFICATE OF SERVICE

I certify that we have this day served the following documents on

Name: Lyft, Inc. Case # PSG-5906

1. Citation number T - 23-05-003 dated May 26, 2023
2. Investigator's report.
3. Credit or Debit Card Authorization
4. How to file an Appeal (ALJ-377).
5. Citation Appeal Instructions. Resolution ALJ-187
6. Investigator Contact Information.

Date: May 26, 2023

Eric Hooks
Program Project Supervisor, CPED

*Served by Aaron Pete 5/26/23 [REDACTED]



CALIFORNIA PUBLIC UTILITIES COMMISSION

CITATION FOR VIOLATION OF CALIFORNIA PUBLIC UTILITIES CODE AND CPUC GENERAL ORDER 157-E

To: Lyft, Inc.
185 Berry Street #5000
San Francisco, CA 94107

File: TCP 32513
Date: May 26, 2023
Citation #: T.23-05-003
Case #: PSG-5906

VIOLATIONS

You are hereby cited with having violated section(s) of the Public Utilities (Pub. Util.) Code and a Commission General Order (G.O.) as described below. These violations occurred during the period August 4, 2022, through August 31, 2022.

- (1) Failure to display a Transportation Network Company (TNC) identifiable trade dress on the vehicle, in violation of Pub. Util. Code section 5381, 5430 and G.O. 157-E Part 11.19. [8 counts].**

STATEMENT OF FACTS

The attached investigation summary report documents the violations listed above, which consists of carrier's records and substantiating documents obtained from other sources.

CIT-LIC

RESPONSE

You are hereby called upon to answer this citation on or before June 16, 2023. By way of such answer, you may either:

- (1) Pay a fine of \$ **16,000** pursuant to Pub. Util. Code section 5378. (Submit your check or money order payable to California Public Utilities Commission using the attached *Citation Payment Form*. 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) 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 within the 20 calendar days, you will be in default of the citation and will have forfeited your right to appeal the citation. In addition, your operating authority will be immediately suspended and subsequently revoked, pursuant to Resolution ALJ-187. The Commission may also initiate an action 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
Transportation Enforcement Branch
Consumer Protection and Enforcement Division

Cc: Janeé Weaver, Regulatory Compliance Counsel, Lyft
jweaver@lyft.com

Molly Zimney, Regulatory Counsel, Lyft
mollyzimney@lyft.com

Kenneth Bruno, Chief – Transportation Enforcement Branch,
CPUC
kenneth.bruno@cpuc.ca.gov

Attachments

CIT-LIC

CPUC INVESTIGATIVE REPORT

ENTITY NAME: Lyft, Inc.
Corporation No. C3181802, Active

OFFICERS: Logan Green, CEO
Brian Roberts, CFO
Kristin Sverchek, Secretary
John Simmer, President
Lisa Blackwood-Kapral, CAO
David Le, Assistant Secretary
Alix Rosenthal, Assistant Secretary

ADDRESS: 185 Berry St #5000, San Francisco, CA 94107

PHONE: (415) 475-8459

AUTHORITY: Transportation Network Company (TNC) 32513, active as of 4/9/2020

**PL&PD
INSURANCE:** [REDACTED]

**COMMERCIAL
LIABILITY:** [REDACTED]

**WORKER'S
COMPENSATION
INSURANCE:** [REDACTED]

NARRATIVE

The Transportation Enforcement Branch (TEB) of the Consumer Protection & Enforcement Division (CPED) conducted observations at California airports and found Lyft’s drivers violating Public Utilities (Pub. Util.) Code 5381, 5430 and General Order (G.O.) 157-E, Part 11.19 by not displaying the required trade dress. During TEB observations, photographs were taken as evidence in violations of G.O. 157-E, Part 11.19.

VIOLATIONS

The investigation covered the time of August 1, 2022, through August 31, 2022, and revealed eight days and 33 trips violating Pub. Util. Code 5381, 5430 and G.O. 157-E, Part 11.19.

- **Failure to display a Transportation Network Company (TNC) identifiable trade dress on the vehicle, in violation of Pub. Util. Code section 5430 and G.O. 157-E Part 11.19. [8 counts]**

G.O. 157-E part 11.19 states in part, “TNC vehicles shall display consistent trade dress in the front and rear of the vehicle (i.e., distinctive signage or display on the vehicle) when providing TNC services that is sufficiently large, and color contrasted as to be readable during daylight hours at a distance of at least 50 feet”.

During the month of August 2022, drivers were observed operating without displaying the Lyft trade dress on their vehicles [Attachment 1] and [Attachment 2]. Lyft provided a response to a Data Request from TEB showing the listed vehicles operated on the Lyft platform during the dates specified [Attachment 3]. The investigation revealed that Lyft’s drivers operated eight days and conducted 33 trips without displaying the required trade dress on the vehicle [Table 1].

Table 1 – Dates of operation without required trade dress

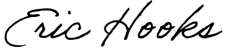
Date	License Plate No.	Airport	Location at Airport	Violation	
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	International Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress

8/9/2022	████████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	████████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	████████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	████████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	████████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	████████	SFO	TNC Pickup Area Domestic, Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/18/2022	████████	OAK	Terminal 2	G.O. 157-E, Part 11.19	No front and rear trade dress
8/18/2022	████████	OAK	Terminal 2	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	████████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	████████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	████████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	████████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	████████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/23/2022	████████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No front and rear trade dress
8/23/2022	████████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No rear trade dress
8/23/2022	████████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No front trade dress
8/23/2022	████████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No rear trade dress
8/31/2022	████████	SFO	International Terminal, Departure Level, TNC Pick-up Area	G.O. 157-E, Part 11.19	No front and rear trade dress
8/31/2022	████████	SFO	International Terminal, Departure Level, TNC Pick-up Area	G.O. 157-E, Part 11.19	No front and rear trade dress

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 May 26, 2023
at San Francisco, California



Eric Hooks, Program and Project Supervisor

ATTACHMENTS


1. CPED/TEB Airport Activities Log
2. CPED/TEB Photographs of Lyft Trade Dress Violations
3. 

TABLE OF ATTACHMENTS

ATTACHMENT 1

LYFT Airport Activities Log

Date	License Plate No.	Airport	Location at Airport	Violation	
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	International Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/8/2022	██████	SFO	Domestic Terminal Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Departures	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	TNC Pickup Terminal B	G.O. 157-E, Part 11.19	No rear trade dress
8/9/2022	██████	SMF	Terminal A Arrivals	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/12/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/15/2022	██████	SFO	TNC Pickup Upper Level 5	G.O. 157-E, Part 11.19	No rear trade dress
8/18/2022	██████	OAK	Terminal 2	G.O. 157-E, Part 11.19	No front and rear trade dress
8/18/2022	██████	OAK	Terminal 2	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	██████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	██████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	██████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	██████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/22/2022	██████	SFO	TNC Lot 1	G.O. 157-E, Part 11.19	No rear trade dress
8/23/2022	██████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No front and rear trade dress
8/23/2022	██████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No rear trade dress
8/23/2022	██████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No front trade dress
8/23/2022	██████	SJC	Terminal 2, Pod 8&9	G.O. 157-E, Part 11.19	No rear trade dress
8/31/2022	██████	SFO	International Terminal, Departure Level, TNC Pick-up Area	G.O. 157-E, Part 11.19	No front and rear trade dress
8/31/2022	██████	SFO	International Terminal, Departure Level, TNC Pick-up Area	G.O. 157-E, Part 11.19	No front and rear trade dress

ATTACHMENT 2



Ford

C-MAX

SE
HYBRID

HYBRID

F

RIGHT
LANE
ENDS

RIGHT
LANE
ENDS

TERMINALS
Hourly Parking

INTERNAL
Terminal

TERMINALS







Weekly Parking
Terminal

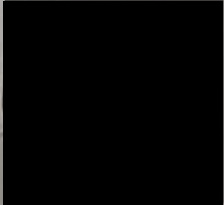
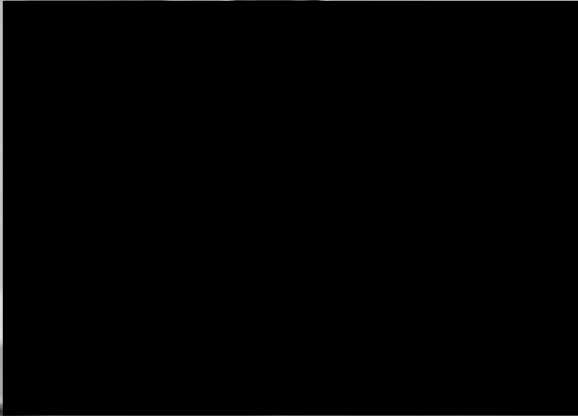


Blue directional sign with text and arrows.

HIGHLANDER

HYBRID

XLE





SPEED LIMIT 10

STOP



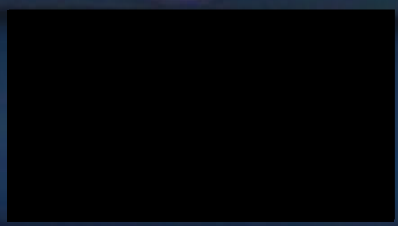
VOLVO

XC90

32
AWD



ACCORD



EX-L



ROAD
CLOSE

HR-V





STOP

CR-V

AWD

HYBRID



NOTICE
Active TNC
Vehicles Only

NO
SMOKING
OR
OPEN
FLAMES

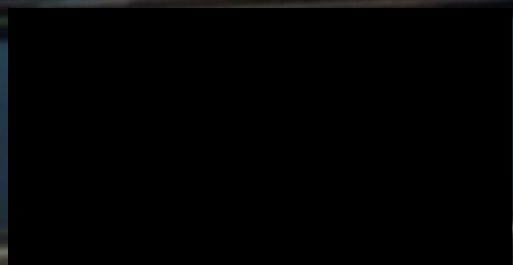
AREA
C
LEVEL 5





KIA

FORD



F1





Ford

FUSION

HYBRID



HYBRID
XLE

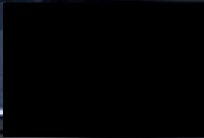




CIVIC



TURBO



D3





RAV4

LE
HYBRID

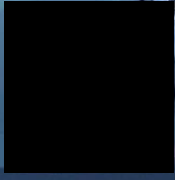
PARKING
←

SMOKING



2

2





ACCORD



HYBRID

← BAG CLAIM



HEAD
IN
PARKING
ONLY



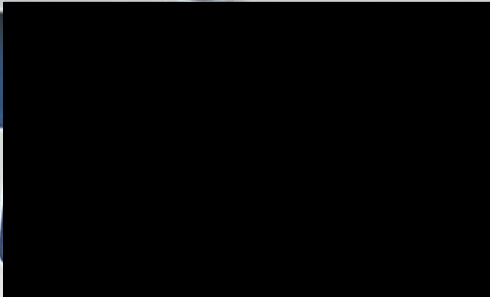
COROLLA

LE





NO
SMOKING



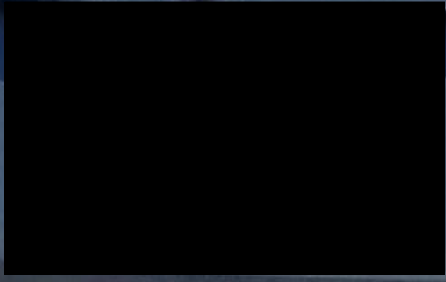
xDrive sDrive



NO

PRIUS

HYBRID SYNERGY DRIVE





MDX







HYBRID

HIGHLANDER

LE



9 App-based Rideshare

MITSUBISHI

OUTLANDER SE







Ride App
Pickup/
Drop Off
Zone
16

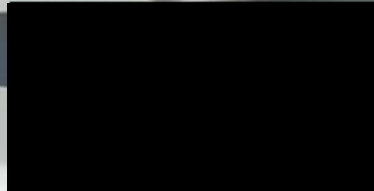
← Garage
Ride App Pickup/Drop Off Zone 17



Ride App Pickup/Drop Off Zone 17

Ride App Pickup/Drop Off Zone 16

HR-V

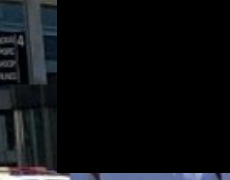




Ride App Pickup
B/D Parking
Shuttle
Hotel Courtesy
Shuttle

TOP AWAY
NO STOPPING
EXCEPTED
OR TRUCKS
OR BUSES
ACCEPTED

Ride App
Pickup/
Drop Off
Zone
15





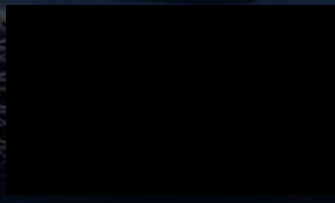
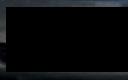
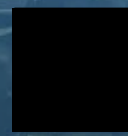
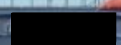
Garage G

Ride Pool
Parking
Level 16

SE
HYBRID



Ride App
Pickup/
Drop Off
Zone
14



ATTACHMENT 3

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 28, 2022

TNC: 32513 Active

Kristin Sverchek
John Zimmer
Logan Green
Brian Roberts
Lyft, Inc.
185 Berry St #5000
San Francisco, CA 94107

Email: marketcompliance@lyft.com

Dear Lyft, Inc.:

Re: Data Request [REDACTED]
Due Date: December 12, 2022

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED) requests the information listed on the attachment. If you have any questions, do not hesitate to contact me via email, eric.hooks@cpuc.ca.gov or telephone, (415) 793-1270. Please provide the information on or before December 12, 2022, to the address below or email to eric.hooks@cpuc.ca.gov:

California Public Utilities Commission
Attn: Eric Hooks
Transportation Enforcement Branch
505 Van Ness Avenue
San Francisco, CA 94102

If for any reason, you are unable to provide the responses to this data request by December 12, 2022, please provide a written explanation — by 5:00 p.m. on December 5, 2022 — explaining why you cannot meet the due date, and when you anticipate providing the requested information.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



Thank you for your cooperation.

Sincerely,

Eric Hooks

Eric Hooks, Program and Project Supervisor
California Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Email: eric.hooks@cpuc.ca.gov
Telephone: (415) 793-1270

cc: Kenneth Bruno - Program Manager

Attachment

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



8/15/2022		[REDACTED]
8/15/2022		[REDACTED]
8/15/2022		[REDACTED]
8/15/2022		[REDACTED]
8/15/2022		[REDACTED]
8/15/2022		[REDACTED]
8/18/2022		[REDACTED]
8/18/2022		[REDACTED]
8/18/2022		[REDACTED]
8/18/2022		[REDACTED]
8/18/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/22/2022		[REDACTED]
8/23/2022		[REDACTED]
8/23/2022		[REDACTED]
8/23/2022		[REDACTED]
8/23/2022		[REDACTED]
8/24/2022		[REDACTED]
8/24/2022		[REDACTED]
8/31/2022		[REDACTED]
8/31/2022		[REDACTED]
8/31/2022		[REDACTED]
8/31/2022		[REDACTED]

END OF REQUEST



185 Berry Street
Suite 400
San Francisco, CA 94107

December 12, 2022

Eric Hooks
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94107
eric.hooks@cpuc.ca.gov

Sent VIA [REDACTED].

Re: Data Request: [REDACTED]

Dear Mr. Hooks,

Lyft, Inc. ("Lyft") is in receipt of your November 28, 2022 correspondence regarding the California Public Utilities Commission's ("CPUC") Consumer Protection and Enforcement Program ("CPED") request for information. Please see Attachment 1 for Lyft's response to [REDACTED]

In addition, please find attached Attachment 2, [REDACTED]

If you have any questions please feel free to contact me at jweaver@lyft.com.

Sincerely,

Janeé Weaver
Counsel, Regulatory Compliance
Lyft, Inc.
Registered In House Counsel - California Bar

Attachments:

- Attachment 1: [REDACTED]
- Attachment 2: [REDACTED]



185 Berry Street
 Suite 400
 San Francisco, CA 94107

ATTACHMENT 1

Data Request [REDACTED]

QUESTION 1: Please verify if each of the following vehicles listed below that are identified by their license plates, were active on the Lyft platform during the specified date of operation.

LYFT CONFIDENTIAL RESPONSE TO QUESTION 1: Lyft has reviewed the list of license plate numbers provided by the CPUC and has indicated if the vehicle was active on the Lyft platform on the date specified by noting “Y” for “yes” the vehicle was active on the Lyft platform; and “N” for “no” the vehicle was not active on the Lyft platform in the table below. A vehicle was designated as “Y” if Lyft was able to confirm that the driver associated with the vehicle license plate number was logged onto the Lyft App on the date of operation provided by the CPUC.

Dates of Operation	License Plate No.	Active on Specified Date of Operation? (Y/N)
8/4/2022	[REDACTED]	N
8/8/2022	[REDACTED]	Y
8/8/2022	[REDACTED]	N
8/8/2022	[REDACTED]	Y
8/8/2022	[REDACTED]	Y
8/8/2022	[REDACTED]	N
8/8/2022	[REDACTED]	Y
8/8/2022	[REDACTED]	Y
8/8/2022	[REDACTED]	N
8/8/2022	[REDACTED]	N
8/9/2022	[REDACTED]	N
8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	N
8/9/2022	[REDACTED]	Y



185 Berry Street
Suite 400
San Francisco, CA 94107

8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	Y
8/9/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	N
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	N
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	Y
8/12/2022	[REDACTED]	Y
8/15/2022	[REDACTED]	Y
8/15/2022	[REDACTED]	Y
8/15/2022	[REDACTED]	N
8/15/2022	[REDACTED]	N
8/15/2022	[REDACTED]	Y
8/15/2022	[REDACTED]	N
8/15/2022	[REDACTED]	Y
8/15/2022	[REDACTED]	N
8/15/2022	[REDACTED]	Y
8/18/2022	[REDACTED]	Y



185 Berry Street
Suite 400
San Francisco, CA 94107

8/18/2022	[REDACTED]	Y
8/18/2022	[REDACTED]	Y
8/18/2022	[REDACTED]	Y
8/18/2022	[REDACTED]	N
8/22/2022	[REDACTED]	Y
8/22/2022	[REDACTED]	Y
8/22/2022	[REDACTED]	Y
8/22/2022	[REDACTED]	Y
8/22/2022	[REDACTED]	Y
8/22/2022	[REDACTED]	N
8/22/2022	[REDACTED]	Y
8/23/2022	[REDACTED]	Y
8/23/2022	[REDACTED]	Y
8/23/2022	[REDACTED]	Y
8/23/2022	[REDACTED]	N
8/23/2022	[REDACTED]	Y
8/24/2022	[REDACTED]	N
8/24/2022	[REDACTED]	N
8/31/2022	[REDACTED]	Y
8/31/2022	[REDACTED]	Y
8/31/2022	[REDACTED]	Y
8/31/2022	[REDACTED]	N
8/31/2022	[REDACTED]	N

PSG NO.: _____

CARRIER NAME: _____

CREDIT OR DEBIT CARD AUTHORIZATION

(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

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 by following the instructions on the CPUC's Filing A Document Electronically (E-filing) webpage <https://www.cpuc.ca.gov/efile>

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. **Douglas Ito, Director CPED**, Douglas.Ito@cpuc.ca.gov
4. **Anne Simon, Chief Administrative Law Judge**, Anne.Simon@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. **Douglas Ito, Director**, Consumer Protection and Enforcement Division, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco
3. **Anne Simon, 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. **Program Manager CPED/TEB-South** Kenneth Bruno, 320 W. 4th Street Los Angeles, CA 90013
6. **Program Manager CPED/TEB-North (TBD)**, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102

[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. You may download the Resolutions at the following Commission webpage <http://docs.cpuc.ca.gov/ResolutionSearchForm.aspx> 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 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 recalendar the matter for hearing under the Commission's regular procedure for Citation Appeals.

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 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](mailto: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 (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 (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.)