

APPENDIX B

Citation Programs and General Order 156 and How these Programs Interact With the Rules Adopted in Appendix A

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Resolution SU-24, 12/17/1993; Gas Safety Enforcement in Mobilehome Parks

Statutes: Pub. Util. Code § 4351 – 4361;¹ General Order (GO) 112-D and Title 49 Code of Federal Regulations (CFR) Parts 190, 191 and 192.

Event	Resolution SU-24	Governing Appellate Rule
File Appeal	30 days to contact staff ² (See Appendix B to Resolution)	Pilot Program Rule 3: ³ File Notice of Appeal with Docket Office; File within time stated by Resolution SU-24.
Content of Appeal	Silent	Pilot Program Rule 5: Minimum content requirements are to state the citation date and grounds for the appeal.
Hearing Date	Silent	Pilot Program Rule 10: Promptly, parties notified at least 10 days in advance of hearing; Judge may for good cause or parties' agreement, grant reasonable continuance of hearing.
Burden of Proof	Silent	Pilot Program Rule 11: Staff has the burden to prove a <i>prima facie</i> case supporting its issuance of the citation; the burden then shifts to appellant to

¹ All statutory references are to the California Public Utilities Code unless otherwise indicated.

² These resolutions often refer to staff or a specific Division at the Commission. For ease of reference in this appendix, all such references are designated "staff".

³ "Pilot Program Rules" refer to the appellate rules adopted by this Resolution.

Event	Resolution SU-24	Governing Appellate Rule
		demonstrate that a violation did not occur and the citation should not issue or that the amount of the penalty is inappropriate.
Evidence	Silent	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	Silent	Pilot Program Rule 12: Hearing venue in San Francisco (SF) or Los Angeles (LA), at the Commission’s discretion.
Party Representative	Silent	Pilot Program Rule 13: At appellant’s ⁴ expense.
Transcript	Silent	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Administrative Law Judge (Judge) and Commission’s Public Advisor’s Office not less than five business days

⁴ The appellant (referred to by various terms in these GOs and resolutions) is referred to in this appendix as appellant.

Event	Resolution SU-24	Governing Appellate Rule
		prior to date of hearing.
Submission	Silent	Pilot Program Rule 16: Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument.
Issuance of Draft Resolution	Silent	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Silent	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

General Order 167; Enforcement of Maintenance and Operation Standards for Electric Generating Facilities

Statutes: Various

Event	General Order 167	Governing Appellate Rule
File Appeal	Within 30 days of citation date. (Section 13.3.8.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by GO 167, § 13.3.8.1.
Content of Appeal	Indicate grounds (Section 13.3.8.1)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by GO 167 § 13.3.8.1.
Hearing Date	Promptly; Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Section 13.3.8.3)	Pilot Program Rule 10: Hearing must commence as required by GO 167 § 13.3.8.3.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Section 13.3.8.7)	Pilot Program Rule 11: The burden of proof is as set forth in GO 167 § 13.3.8.7.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Section 13.3.8.7)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF or LA; Judge may recalendar. (Section 13.3.8.4)	Pilot Program Rule 12: Venue as set forth in GO 167 § 13.3.8.4.
Party Representative	At appellant's expense. (Section 13.3.8.6)	Pilot Program Rule 13: At appellant's expense.
Transcript	Appellant must pay costs per Commission's procedures. (Section 13.3.8.5)	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15:

Event	General Order 167	Governing Appellate Rule
		Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for a reasonable period to permit a party to submit additional evidence or argument. (Section 13.3.8.8)	Pilot Program Rule 16: The submission date is governed by GO 167 § 13.3.8.8.
Issuance of Draft Resolution	Not later than 30 days after submission. (Section 13.3.8.9)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from citation date to final order. (Section 13.3.9)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information

- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution ALJ-187, 9/22/2005; Citation Appeal Procedures for Household Goods Carriers, Charter Party Carriers and Passenger Stage Corporations

Statutes: Various

Event	Resolution ALJ-187	Governing Appellate Rule
File Appeal	20 days after service of citation; if request made before deadline, staff may grant up to two 30 day extensions. (Section 2)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution ALJ-187 § 2. Pilot Program Rule 4: Any extension of time to file the Notice of Appeal must be made by the Division Director in writing and attached to the Notice of Appeal.
Content of Appeal	Indicate grounds. (Section 4.c)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution ALJ-187 § 4.c; Attach written permission for extension of time to file the Notice of Appeal, if applicable.
Hearing Date	Promptly, not less than 10 days after appeal received from staff. Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Section 4.d)	Pilot Program Rule 10: Hearing must commence as required by Resolution ALJ-187 § 4.d.
Burden of Proof	Staff opens and closes; Judge may alter order. (Section§ 4.h)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution ALJ-187 § 4.h.

Event	Resolution ALJ-187	Governing Appellate Rule
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Section § 4.h)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	SF or LA; Judge may recalendar. (Section 4.b)	Pilot Program Rule 12: Venue as set forth in Resolution ALJ-187 § 4.b.
Party Representative	At appellant’s expense. (Section 4.g)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (Section 4.e)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Upon written request to Chief Judge not less than three business days prior to date of hearing. (Section 4.f)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Section 4.i)	Pilot Program Rule 16: The submission date is governed by Resolution ALJ-187 § 4.i.
Issuance of Draft Resolution	Not later than 30 days after submission. (Section 4.j)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission.

Event	Resolution ALJ-187	Governing Appellate Rule
		Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from Notice of Appeal to final order. (Section 4.k)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

**Resolution UEB-001, 8/24/2006, as modified by UEB-002, 9/18/2008;
Third Party Verification Requirements in Slamming Citation Program**

Statutes: Pub. Util. Code § 2889.5; 47 CFR 64.1120(c)(3)(iii).

Event	Resolution UEB-001, as modified by UEB-002	Governing Appellate Rule
File Appeal	45 days from date of citation. (Section 4)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolutions UEB-001/-002 § 4.
Content of Appeal	Silent	Pilot Program Rule 5: Minimum content requirements are to state the citation date and grounds for the appeal.
Hearing Date	Promptly, not less than 15 calendar days after appeal received from staff. Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Section 7.c)	Pilot Program Rule 10: Hearing must commence as required by Resolutions UEB-001/-002 § 7.c.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Section 7.h)	Pilot Program Rule 11: The burden of proof is as set forth in Resolutions UEB-001/-002 § 7.h.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Section 7.h)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF or LA; Judge may recalendar. (Section 7.d)	Pilot Program Rule 12: Venue as set forth in Resolutions UEB-001; -002 § 7.d.
Party Representative	At appellant's expense.	Pilot Program Rule 13: At

Event	Resolution UEB-001, as modified by UEB-002	Governing Appellate Rule
	(Section 7.g)	appellant's expense.
Transcript	Appellant must pay costs per Commission's procedures. (Section 7.e)	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Upon good faith showing of language difficulty and written request to Chief Judge not less than three business days prior to date of hearing. (Section 7.f)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period (not to exceed 30 calendar days) to permit a party to submit additional evidence or argument. (Section 7.i)	Pilot Program Rule 16: The submission date is governed by Resolutions UEB-001; -002 § 7.i.
Issuance of Draft Resolution	Not later than 45 days after submission. (Section 7.j)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date citation issues to final resolution. (Section 9)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Yes (Section 7.k)	Pilot Program Rule 20:

Event	Resolution UEB-001, as modified by UEB-002	Governing Appellate Rule
		Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution E-4195, 11/6/2008; Supplementing and Replacing in its Entirety Resolution E-4017, 10/5/2006; Enforcing Compliance with System and Local Resource Adequacy Filing Requirements by Load Serving Entities

Statutes: Pub. Util. Code § 380

Event	Resolution E-4195	Governing Appellate Rule
File Appeal	Within 30 days of issuance of citation. (Appendix A § 2.7.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution E-4195, Appendix A § 2.7.1.
Content of Appeal	State grounds. (Appendix A § 2.7.1.)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution E-4195, Appendix A § 2.7.1.
Hearing Date	Promptly; not less than 10 days after appeal filed. Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Appendix A § 2.7.3)	Pilot Program Rule 10: Hearing must commence as required by Resolution E-4195, Appendix A § 2.7.3.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Appendix A § 2.7.7)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution E-4195, Appendix A § 2.7.7.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Appendix A § 2.7.7)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF (Appendix A § 2.7.4)	Pilot Program Rule 12: Venue as set forth in

Event	Resolution E-4195	Governing Appellate Rule
		Resolution E-4195, Appendix A § 2.7.4.
Party Representative	At appellant’s expense. (Appendix A § 2.7.6)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (Appendix A § 2.7.5)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Appendix A § 2.7.8)	Pilot Program Rule 16: The submission date is governed by Resolution E-4195, Appendix A § 2.7.8.
Issuance of Draft Resolution	Not later than 30 days after submission. (Appendix A § 2.7.9)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.

Event	Resolution E-4195	Governing Appellate Rule
Ex Parte Communications	Prohibited from date citation issues to final decision. (Appendix A § 2.7.10)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution USRB-001, 7/31/2008; Safety Regulations for Jurisdictional Propane Gas Distribution System Operator

Statutes: Pub. Util. Code § § 4451-4465.

Event	Resolution USRB-001	Governing Appellate Rule
File Appeal	Within 45 calendar days from the citation date. (Section 11.a)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution USRB-001 § 11.a.
Content of Appeal	Explain reasons. (Section 11.a)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution USRB-001 § 11.a.
Hearing Date	Within 30 calendar days after appeal received from staff. Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Section 11.b). Appellant will be notified at least 10 days in advance of the hearing. (Section 11.c)	Pilot Program Rule 10: Hearing must commence as required by Resolution USRB-001 § 11.b and § 11.c.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Section 11.g)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution USRB-001 § 11.g.
Evidence	Formal rules do not necessarily apply; substantial rights of the parties preserved. (Section 11.g)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF or LA. (Section 11.c)	Pilot Program Rule 12: Venue as set forth in

Event	Resolution USRB-001	Governing Appellate Rule
		Resolution USRB-001 § 11.c.
Party Representative	At appellant’s expense. (Section 11.f)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (Section 11.d)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Upon good faith showing of language difficulty and written request to the assigned Judge not less than 10 days prior to date of hearing. (Section 11.e)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period (not to exceed 30 calendar days) to permit a party to submit additional evidence or argument. (Section 11.h)	Pilot Program Rule 16: The submission date is governed by Resolution USRB-001 § 11.h.
Issuance of Draft Resolution	Not later than 45 days after submission. (Section 11.i)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Silent	Pilot Program Rule 19: Prohibited from citation

Event	Resolution USRB-001	Governing Appellate Rule
		date to final order.
Rehearing	Yes (Section 11.j)	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution ROSB-002, 11/6/2008; Modified (rehearing denied) in Decision (D.) 09-05-020; Re: Railroad Citation Program

Statutes: Various

Event	Resolution ROSB-002	Governing Appellate Rule
File Appeal	Within 30 days after service of citation; if request made to staff before deadline, staff may grant up to two thirty day extensions. Staff, the Judge or Commission may extend the time for appeal upon a showing of good cause. (Section 2)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution ROSB-002 § 2. Pilot Program Rule 4: Any extension of time to file the Notice of Appeal must be made by the Division Director in writing and attached to the Notice of Appeal.
Content of Appeal	Indicate grounds. (Section 4.c)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution ROSB-002 § 4.c; Attach written permission for extension of time to file the Notice of Appeal, if applicable.
Hearing Date	Promptly; not less than 10 days after appeal received from staff. Judge may for good cause or parties' agreement, grant reasonable continuance of hearing. (Section 4.d).	Pilot Program Rule 10: Hearing must commence as required by Resolution ROSB-002 § 4.d.
Burden of Proof	Staff. Staff opens and closes. Judge may alter order. (Section 4.g)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution ROSB-002 § 4.g.
Evidence	Formal rules do not	Pilot Program Rule 13:

Event	Resolution ROSB-002	Governing Appellate Rule
	necessarily apply; Judge may receive all relevant and reliable evidence. (Section 4.g)	Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF (Section 4.b)	Pilot Program Rule 12: Venue as set forth in Resolution ROSB-002 § 4.b.
Party Representative	At appellants' expense. (Section 4.f)	Pilot Program Rule 13: At appellant's expense.
Transcript	Appellant must pay costs per Commission's procedures. (Section 4.e)	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Section 4.h)	Pilot Program Rule 16: The submission date is governed by Resolution ROSB-002 § 4.h.
Issuance of Draft Resolution	Not later than 60 days after submission. (Section 4.i)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission.

Event	Resolution ROSB-002	Governing Appellate Rule
		Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from appeal through final order. (Section 4.j)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution E-4257, 10/29, 2009; Re: Citations of Load Serving Entities for Non-compliance with Mandatory Filing Deadlines and Reporting Requirements of the Renewables Portfolio Standard (RPS)

Statues: Various, particularly Pub. Util. Code § 399.14 (e).

Event	Resolution E-4257	Governing Appellate Rule
File Appeal	Within 30 days of the citation date. (Appendix § 2.7.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution E-4257 § 2.7.1.
Content of Appeal	State grounds. (Appendix § 2.7.1)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution E-4257 § 2.7.1.
Hearing Date	Promptly, not less than 10 days after appeal filed. Judge may for good cause or parties' agreement, grant reasonable continuance of hearing. (Appendix § 2.7.3)	Pilot Program Rule 10: Hearing must commence as required by Resolution E-4257 § 2.7.3.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Appendix § 2.7.7)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution E-4257 § 2.7.7.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Appendix § 2.7.7)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF (Appendix § 2.7.4)	Pilot Program Rule 12: Venue as set forth in Resolution E-4257 § 2.7.4.
Party Representative	At appellant's expense. (Appendix § 2.7.6)	Pilot Program Rule 13: At appellant's expense.
Transcript	Appellant must pay costs	Pilot Program Rule 14:

Event	Resolution E-4257	Governing Appellate Rule
	per Commission's procedures. (Appendix § 2.7.5)	Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Appendix. § 2.7.8)	Pilot Program Rule 16: The submission date is governed by Resolution E-4257 § 2.7.8.
Issuance of Draft Resolution	No later than 30 days after submission. (Appendix § 2.7.9)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date citation issues to final decision. (Appendix § 2.7.10)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution W-4799, 10/29/2009; Citation Program Regarding Water and Sewer Utilities

Statutes: Various

Event	Resolution W-4799	Governing Appellate Rule
File Appeal	Within 30 days after the date of service of the citation (Sections 3.a and 5.a)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution W-4799 § 3.a and 5.a. Pilot Program Rule 4: Any extension of time to file the Notice of Appeal must be made by the Division Director in writing and attached to the Notice of Appeal.
Content of Appeal	Indicate grounds (Section 5.a)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution W-4799 § 5.a; Attach written permission for extension of time to file the Notice of Appeal, if applicable.
Hearing Date	Promptly, parties notified at least ten days in advance; Judge may for good cause or parties' agreement, grant reasonable continuance of hearing. (Section 5.c)	Pilot Program Rule 10: Hearing must commence as required by Resolution W-4799 § 5.c.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Section 5.h)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution W-4799 § 5.h.

Event	Resolution W-4799	Governing Appellate Rule
Evidence	Rule 13.6 (Evidence) applies. (Section 5.h)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	SF or LA (Section 5.d)	Pilot Program Rule 12: Venue as set forth in Resolution W-4799 § 5.d.
Party Representative	At appellant’s expense (Section 5.g)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (Section 5.f)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Upon good faith showing of language difficulty and written request to the assigned Judge not less than three business days prior to date of hearing. (Section 5.e)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Section 5.i)	Pilot Program Rule 16: The submission date is governed by Resolution W-4799 § 5.i.
Issuance of Draft Resolution	Within 60 days after submission. (Section 5.j); parties may file comments on draft resolution.	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission.

Event	Resolution W-4799	Governing Appellate Rule
		Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date staff receives the Notice of Appeal to date when rehearing, if any, is resolved. (Section 5.l)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Yes (Section 5.k)	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution TL-19108, 7/25/2013, revising and partially rescinding Resolution TL-19099, 11/19/2013; Regarding Permanent Revocation of a Charter Party Carrier’s Permit to Operate

Statutes: Pub. Util. Code § § 5387, et al.

Event	Resolution TL-19108, revising and partially rescinding Resolution TL-19099	Governing Appellate Rule
File Appeal	Within 15 days after mailing the notice to the carrier. (Pub. Util. Code § 5387.3; Resolution TL-19108, Ordering Paragraph (OP) 4)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Pub. Util. Code § 5387.3 and Resolution TL-19108, OP 4.
Content of Appeal	Full explanation of the basis for the appeal and copies of documents that demonstrate that factual error caused the revocation or refusal to issue. (OP 4)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution TL-19108, OP 4.
Hearing Date	Within 21 days of receipt of the appeal. (Pub. Util. Code § 5387.3 (b); OP 5)	Pilot Program Rule 10: Hearing must commence as required by Pub. Util. Code § 5387.3 (b) and Resolution TL-19108 OP 5.
Burden of Proof	Charter Party Carrier has burden to prove that it was not in violation of § 5387(c). (§ 5387.3(b))	Pilot Program Rule 11: The burden of proof is as set forth in Pub. Util. Code § 5387.3(b).
Evidence	Silent	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	Silent	Pilot Program Rule 12:

Event	Resolution TL-19108, revising and partially rescinding Resolution TL-19099	Governing Appellate Rule
		Hearing venue in SF or LA, at the Commission's discretion.
Party Representative	Silent	Pilot Program Rule 13: At appellant's expense.
Transcript	Silent	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Silent	Pilot Program Rule 16: Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument.
Issuance of Draft Resolution	Expeditiously. (OP 6)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.

Event	Resolution TL-19108, revising and partially rescinding Resolution TL-19099	Governing Appellate Rule
Ex Parte Communications	Silent	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Yes. (OP 7 and 8)	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution TL-19102, 11/10/2011; Suspension and Revocation of a Permit of a Household Goods Carrier that Fails to Pay a Judgment Awarded in Connection with an Intrastate Shipment of Used Household Goods

Statutes: Pub. Util. Code § 5101, et seq.

Event	Resolution TL-19102	Governing Appellate Rule
File Appeal	Within 30 days of service of the letter of suspension. (see Pub. Util. Code § 5285(a); see also Resolution TL-19102 OP 5 and 9)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Pub. Util. Code § 5285(a) and Resolution TL-19102 OP 5 and 9.
Content of Appeal	Full explanation of why it has not complied with staff's letter by making one of the showings authorized by OP 2. The carrier may not dispute the merits of the underlying judgment or award. (OP 9.c)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution TL-19102 OP 9.c.
Hearing Date	Set matter for hearing no more than 20 days after appeal is filed; hold hearing within 45 days after appeal is filed. The Judge may for good cause grant reasonable continuance of hearing. (OP 9.g)	Pilot Program Rule 10: Hearing must commence as required by Resolution TL-19102 OP 9.g.
Burden of Proof	Staff submits documents evidencing the unpaid court judgment or award; then carrier has burden of showing why its permit should not be revoked for failure to pay	Pilot Program Rule 11: The burden of proof is as set forth in Resolution TL-19102 OP 10.a.

Event	Resolution TL-19102	Governing Appellate Rule
	the judgment or award. (OP 10.a)	
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (OP 10.c)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	SF or LA (OP 10.d)	Pilot Program Rule 12: Venue as set forth in Resolution TL-19102 OP 10.d.
Party Representative	At appellant’s expense. (OP 10.f)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (OP 10.e)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period (not to exceed 30 calendar days) to permit a carrier to submit additional evidence or argument. (OP 10.g)	Pilot Program Rule 16: The submission date is governed by Resolution TL-19102 OP 10.g.

Event	Resolution TL-19102	Governing Appellate Rule
Issuance of Draft Resolution	Not later than 45 days after submission. (OP 10.h)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date of suspension letter to and including when the final resolution is issued. (OP 10.i)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Yes. (OP 10.j)	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution ALJ-274, 12/1/2011; Regarding Enforcement of Safety Regulations for Violations by Gas Corporations

Statutes: Various, including but not limited to GO 112-E and CFR Title 49, Parts 190, 191, 192, 193 and 199.

Event	Resolution ALJ-274	Governing Appellate Rule
File Appeal	Within 10 calendar days from service of the citation. (Appendix A § II.A.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution ALJ-274, Appendix A § II.A.1.
Content of Appeal	Explain with specificity each and every ground for appeal. (Appendix A § II.A.2)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution ALJ-274, Appendix A § 11.A.2.
Hearing Date	Promptly, parties notified at least 10 days in advance of hearing; Judge may for good cause or parties' agreement, grant reasonable continuance of hearing. (Appendix A § II.C)	Pilot Program Rule 10: Hearing must commence as required by Resolution ALJ-274, Appendix A § II.C.
Burden of Proof	Staff has the burden to prove a <i>prima facie</i> case supporting its issuance of the citation; the burden then shifts to appellant to demonstrate that a violation did not occur and the citation should not issue or that the amount of the penalty is inappropriate. (Appendix A § II.G)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution ALJ-274, Appendix A § II.G.

Event	Resolution ALJ-274	Governing Appellate Rule
Evidence	Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies. (Appendix A § H)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	SF or LA. (Appendix A § II.D)	Pilot Program Rule 12: Venue as set forth in Resolution ALJ-274, Appendix A § II.D.
Party Representative	At appellant’s expense. (Appendix A § II.H)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission’s procedures. (Appendix A § II.F)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Upon good faith showing of language difficulty and written request to the assigned Judge and the Public Advisor’s Office not less than three business days prior to date of hearing. (Appendix A § II.E)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Appendix A § II.I)	Pilot Program Rule 16: The submission date is governed by Resolution ALJ-274, Appendix A § II.I.
Issuance of Draft Resolution	Within 60 days after submission. Parties may file	Pilot Program Rule 17: Draft decision issued expeditiously, and no

Event	Resolution ALJ-274	Governing Appellate Rule
	comments on draft resolution. (Appendix A § II.J)	later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date of service of the citation through Commission and court decisions, if any, resolving applications for rehearing of the resolution on the citation. (Appendix A § II.L)	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Yes. (Appendix A § II.K)	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal. Note that Rule 6 requires that the Notice of Appeal must also be served on other entities (besides the minimum required in Rule 6) if required by the Citation Program. Resolution ALJ-274, Appendix A § II.A.1 requires service on other entities besides the minimum required by Rule 6.
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Resolution E-4550, 5/9/2013; Re Non-compliance with Permits to Construct and Certificates of Public Convenience and Necessity

Statutes: Various

Event	Resolution E-4550	Governing Appellate Rule
File Appeal	Within 30 days of the date of the citation. (Appendix A § 2.7.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution E-4550, Appendix A § 2.7.1.
Content of Appeal	State grounds. (Appendix A § 2.7.1)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by Resolution E-4550, Appendix A § 2.7.1.
Hearing Date	Promptly, not less than 10 days after appeal is filed; Judge may for good cause or parties' agreement, grant reasonable continuance of hearing. (Appendix A § 2.7.3)	Pilot Program Rule 10: Hearing must commence as required by Resolution E-4550, Appendix A § 2.7.3.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Appendix A § 2.7.7)	Pilot Program Rule 11: The burden of proof is as set forth in Resolution E-4550 § 2.7.7.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Appendix A § 2.7.7)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF (Appendix A § 2.7.4.)	Pilot Program Rule 12: Venue as set forth in Resolution E-4550, Appendix A § 2.7.4.

Event	Resolution E-4550	Governing Appellate Rule
Party Representative	At appellant's expense. (Appendix A § 2.7.6)	Pilot Program Rule 13: At appellant's expense.
Transcript	Appellant must pay costs per Commission's procedures. (Appendix A § 2.7.5)	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Appendix A § 2.7.8)	Pilot Program Rule 16: The submission date is governed by Resolution E-4550, Appendix A § 2.7.8.
Issuance of Draft Resolution	Not later than 30 days after submission. (Appendix A § 2.7.9)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from date citation issues to date when final decision	Pilot Program Rule 19: Prohibited from citation date to final order.

Event	Resolution E-4550	Governing Appellate Rule
	issued. (Appendix A § 2.7.10)	
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Pub. Util. Code § 5285.5; Citation authority re a household goods carrier when the Commission receives a complaint from the Director of Industrial Relations that a final judgment has been entered against the carrier as a result of an award having been made to an employee pursuant to § 3716.2 of the Labor Code

Pub. Util. Code § 5378.7; Similar authority regarding charter party carriers regarding § 3716.2 of the Labor Code

Pub. Util. Code § 1033.8; Similar authority regarding passenger stage corporations regarding § 3716.2 of the Labor Code

Statutes: Section 5285.5, § 5378.7, and § 1033.8

Event	Pub. Util. Code § 5285.5; § 5378.7, and § 3716.2	Governing Appellate Rule
File Appeal	Ten days from the date notice is sent to regulated entity by this Commission. (Section 5285.5(c), § 5378.7(c), and § 1033.8(c).	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by § 5285.5(c), § 5378.7(c), and § 1033.8(c).
Content of Appeal	Silent	Pilot Program Rule 5: State date of citation; state grounds for the appeal.
Hearing Date	Within 30 days of the receipt of the request for a hearing. (Section 5285.5(c), § 5378.7(c), and § 1033.8(c))	Pilot Program Rule 10: Hearing must commence as required by § 5285.5(c), § 5378.7(c), and § 1033.8(c).
Burden of Proof	On regulated entity (Section 5285.5(c), § 5378.7(c), and § 1033.8 (c))	Pilot Program Rule 11: The burden of proof is as set forth in § 5285.5(c), § 5378.7(c), and § 1033.8 (c).
Evidence	Silent	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and

Event	Pub. Util. Code § 5285.5; § 5378.7, and § 3716.2	Governing Appellate Rule
		Procedure applies.
Hearing Venue	Silent	Pilot Program Rule 12: Venue in SF or LA, at the Commission's discretion.
Party Representative	Silent	Pilot Program Rule 13: At appellant's expense.
Transcript	Silent	Pilot Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing.
Submission	Silent	Pilot Program Rule 16: Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument.
Issuance of Draft Resolution	Silent	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Pilot Program Rule 18:

Event	Pub. Util. Code § 5285.5; § 5378.7, and § 3716.2	Governing Appellate Rule
		Draft Resolution issued for public comment.
Ex Parte Communications	Silent	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Pub. Util. Code § 5285.6; Citation authority re a household goods carrier upon written recommendation from the Department of Highway Patrol to suspend the permit of a household goods carrier for the reasons set forth in § 5285.6(a)(1)(A)-(C)

Pub. Util. Code § 5378.5; Citation authority re a charter party carrier upon written recommendation from the Department of Highway Patrol to suspend the permit of a charter party carrier for the reasons set forth in § 5378.5(a)

Pub. Util. Code § 1033.7; Citation authority re a passenger stage corporation upon written recommendation from the Department of Highway Patrol to suspend the permit of a passenger stage corporation for the reasons set forth in § 1033.7(a)

Statutes: Section 5285.6, § 5378.5, § 1033.7

Event	Pub. Util. Code § 5285.6, § 5378.5, § 1033.7	Applicable Appellate Rule
File Appeal	No stated period to file Notice of Appeal	Pilot Program Rule 3: File Notice of Appeal with Docket Office; No stated period within which to file the appeal (but note that the entity's license is suspended by the order.)
Content of Appeal	Silent	Pilot Program Rule 5: State date of citation; state grounds for the appeal.
Hearing Date	Not to exceed 21 days after a written request for a hearing is filed with the Commission. (Section 5285.6 (d), § 5378.5(d), and § 1033.7(d))	Pilot Program Rule 10: Hearing must commence as required by § 5285.6(d), § 5378.5(d), and § 1033.7(d).
Burden of Proof	Regulated entity. (Section 5285.6 (d), § 5378.5(d), and § 1033.7(d))	Pilot Program Rule 11: The burden of proof is as set forth in § 5285.6 (d), § 5378.5(d), and

Event	Pub. Util. Code § 5285.6, § 5378.5, § 1033.7	Applicable Appellate Rule
		§ 1033.7(d).
Evidence	Silent	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	Silent	Pilot Program Rule 12: Venue in SF or LA, at the Commission’s discretion.
Party Representative	Silent	Pilot Program Rule 13: At appellant’s expense.
Transcript	Silent	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Silent	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Silent	Pilot Program Rule 16: Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument.
Issuance of Draft Resolution	Silent	Pilot Program Rule 17: Draft decision issued expeditiously, and no

Event	Pub. Util. Code § 5285.6, § 5378.5, § 1033.7	Applicable Appellate Rule
		later than 60 days after submission. Pilot Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Silent	Pilot Program Rule 19: Prohibited from citation date to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

General Order 156 re Development of Programs to Increase Participation of Women, Minority and Disabled Veteran Business Enterprises (WMDVBEs) in Procurement of Contracts from Utilities as Required by § 8281-8286

Statutes: Pub. Util. Code § 8281-8286

Event	General Order 156	Governing Appellate Rule
File Appeal	Within 20 days after service of the Clearinghouse’s final decision on the complaint. (Section 7.3.1)	Pilot Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by General Order (GO) 156 § 7.3.1.
Content of Appeal	Indicate grounds. (Section 7.3.1). The Commission will not entertain complaints which do not allege violations of any law, Commission rule, order, or decision, or utility tariff resulting from such Commission action, but which instead involve only general contract-related disputes, such as failure to win a contract award. (Section 7.1)	Pilot Program Rule 5: State date of citation; indicate rationale for appeal as required by GO 156 § 7.3.1 and § 7.1.
Hearing Date	Between 10 and 20 days after the Judge is assigned. The Judge may for good cause or parties’ agreement, grant reasonable continuance of hearing. (Section 7.3.5)	Pilot Program Rule 10: Hearing must commence as required by GO 156 § 7.3.5.
Burden of Proof	Appellant opens and closes. Judge has discretion to alter order. (Section 7.3.9)	Pilot Program Rule 11: The burden of proof is as set forth in GO 156 § 7.3.9.

Event	General Order 156	Governing Appellate Rule
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Section 7.3.9.)	Pilot Program Rule 13: Rule 13.6 (Evidence) of the Commission’s Rules of Practice and Procedure applies.
Hearing Venue	SF or LA, as scheduled by the Judge. (Section 7.3.4)	Pilot Program Rule 12: Venue as set forth in GO 156 § 7.3.4.
Party Representative	At appellant’s expense. (Section 7.3.8)	Pilot Program Rule 13: At appellant’s expense.
Transcript	Appellant must pay costs per Commission procedures. (Section 7.3.6)	Pilot Program Rule 14: Appellant must pay costs per Commission’s procedures.
Interpreter	Upon written request to the assigned Judge not less than three business days prior to date of hearing. (Section 7.3.7)	Pilot Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission’s Public Advisor’s Office not less than five business days prior to date of hearing.
Submission	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Section 7.3.10)	Pilot Program Rule 16: The submission date is governed by GO 156 § 7.3.10.
Issuance of Draft Resolution	No later than 30 days after appeal submitted. (Section 7.3.11)	Pilot Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after

Event	General Order 156	Governing Appellate Rule
		submission. Pilot Program Rule 18: Draft Resolution issued for public comment
Ex Parte Communications	Prohibited from date of service of the notice of appeal through the date the Commission’s final order is mailed. (Section 7.3.12)	Pilot Program Rule 19: Prohibited from date of Clearinghouse decision (which is being appealed) issues to final order.
Rehearing	Silent	Pilot Program Rule 20: Resolution subject to rehearing.

Additional Pilot Program Rules:

- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal; Note that new service requirements (on the Clearinghouse and an entity whose WMDVBE status is challenged in a third party appeal) have been added. Thus, General Order 156 § 7.3 is changed in this regard.
- Rule 7: Compliance Filing
- Rule 8: Service List and Parties to An Appeal; Note that a permissible party to a third party appeal is an entity whose WMDVBE status is challenged. Thus, General Order 156 § 7.3 is changed in this regard.
- Rule 9: Exchange of Information
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent

Miscellaneous Citation Programs

Resolution CE 11-84, 11/21/1984; Providing for the expansion of the citation forfeiture procedure to include violations committed by charter party carriers and fines up to \$5,000. No specific citation appeal rules are set forth in the resolution.

Resolution CE 4-87, 4/8/1987; Generally addressing citation authority for violations of the Highway Carriers' Act, the Household Goods Carriers Act and the Charter Party Carriers. No specific citation appeal rules are set forth in the resolution.

Resolution CE 2-92, 7/1/1992; Increasing the amount of fines that the transportation division staff may impose under the citation forfeiture program to \$20,000. A history of older citation programs are cited in this resolution. No specific citation appeal rules are set forth in the resolution.

(END OF APPENDIX B)