

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA. 94102-3298



December 16, 2022

Greg Ferree  
Vice President  
Distribution Business Line  
Southern California Edison  
3 Innovation Way  
Pomona, CA 91768

Tara S Kaushik  
Managing Director,  
Regulatory Relations  
Southern California Edison Company  
601 Van Ness Avenue, Suite 2030  
San Francisco, CA 94102

Mr. Ferree and Ms. Kaushik:

Southern California Edison (SCE) is hereby cited \$4,500,000 (Four million, five hundred thousand dollars) for three separate violations of General Order (GO) 95, Rule 31.1, as itemized in the citation. These violations are related to an SCE contractor who was fatally injured while attempting to relocate a de-energized transmission conductor from a lattice transmission tower to a steel transmission pole on January 18, 2018. Through its investigation, the Safety and Enforcement Division (SED) found that SCE violated General Order (GO) 95, Rule 31.1, three separate and distinct times for allowing a Tier 1 contractor, Herman Weissker, Inc., to proceed with work on a transmission project without meeting three separate requirements of SCE's Contractor Safety Management Standard (CSMS). The attached Citation # D.16-09-055 E.22-12-001 is issued today pursuant to Decision 16-09-055. Please find attached the citation and its enclosures.

If confidential information exists within any of the enclosures to the citation, please send SCE's proposed redactions, including SCE's justification for each, by 5:00 p.m. on December 23, 2022, to Fadi Daye, Electric Safety and Reliability Branch, at [fadi.daye@cpuc.ca.gov](mailto:fadi.daye@cpuc.ca.gov).

Please contact me if you have any questions.

Sincerely,

Leslie L  
Palmer

Lee Palmer,  
Director  
Safety and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

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Leslie L Palmer  
Date: 2022.12.16  
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**Public Utilities Commission**  
STATE OF CALIFORNIA

**Citation Date:** December 16, 2022  
**Citation #:** D.16-09-055 E.22-12-001  
**Utility/Operator ID#:** U338E

**CITATION**  
**ISSUED PURSUANT TO DECISION 16-09-055**

**Electrical Corporation (Utility) To Which Citation is Issued:**

Southern California Edison (U338E)

**OFFICER OF THE RESPONDENT:**

Greg Ferree  
Vice President  
Distribution Business Line  
Southern California Edison  
3 Innovation Way  
Pomona, CA 91768

Tara S Kaushik  
Managing Director,  
Regulatory Relations  
Southern California Edison  
601 Van Ness Avenue, Suite 2030  
San Francisco, CA 94102

**CITATION:**

Southern California Edison Company (SCE or Utility) is cited for three violations that lasted fifty-eight days each, resulting in a financial penalty of \$4,500,000. The Safety and Enforcement Division (SED) discovered these violations in its investigation of Incident Number E20180118-01, which occurred on January 18, 2018. A Journeyman Lineman of Herman Weissker Inc. (HWI), an SCE contractor, was fatally injured while attempting to relocate a de-energized transmission conductor from a lattice transmission tower to a steel transmission pole. SED's investigation revealed that SCE failed to follow its Contractor Safety Management Standard (CSMS) which could have prevented the fatal injury.

**VIOLATIONS:**

SCE is cited for violating General Order (GO) 95, Rule 31.1, three times as itemized in this citation. SCE allowed a Tier 1 contractor, HWI, to proceed with work on a transmission project without meeting three requirements of its CSMS, an accepted good practice.

**General Order (GO) 95, Rule 31.1, Design, Construction and Maintenance**, states in part:

*For all particulars not specified in these rules, design, construction, and maintenance should be done in accordance with accepted good practice for the given local conditions known at the time by those responsible for the design, construction, or maintenance of communication or supply lines and equipment.*

...



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*All work performed on public streets and highways shall be done in such a manner that the operations of other utilities and the convenience of the public will be interfered with as little as possible and no conditions unusually dangerous to workmen, pedestrians or others shall be established at any time.*

**GO 95, Rule 31.1**, requires utility companies to conduct construction activities in accordance with accepted good practice and to do so in a way that is not unusually dangerous to workmen. Established utility practices and standards, such as the CSMS and its requirements, represent accepted good practice under Rule 31.1. Had SCE followed the requirements of the CSMS, it would have discovered the discrepancies between SCE's grounding procedures and HWI's, and work would have been delayed until those discrepancies had been rectified. This also could have better protected the SCE contractor from induced current and may have prevented the incident.

### **ENCLOSURES:**

The following enclosures were used to establish the findings of fact:

*Enclosure 1 – SED Incident Investigation Report, dated November 9, 2021*

*Enclosure 2 – SED Notice of Violation (NOV), dated April 11, 2022*

*Enclosure 3 – SCE Response to SED's NOV, dated May 11, 2022*

*Enclosure 4 – SCE's Initial Incident Report*

*Enclosure 5 – SCE's 20-days Letter*

*Enclosure 6 – SCE's Contractor Management Safety Standard V.6*

*Enclosure 7 – SCE's 2018 Overhead Grounding Manual*

*Enclosure 8 – SCE's Handbook for Contractors*

*Enclosure 9 – Data response from SCE's representative to James Miller, SED engineer, dated December 16, 2021*

### **STATEMENT OF FACTS**

The above violations are documented in the attached *Enclosure 1 – SED Incident Investigation Report* which is based on the following: SED's field observations; SED interviews with witnesses and SCE and HWI personnel; and SED's review of SCE's records and data request responses.

### **BACKGROUND**

An employee of HWI was in the process of transferring a de-energized 115 kV overhead conductor from a lattice transmission tower to a new steel pole when the accident occurred. An energized 220 kV circuit built parallel to the conductor induced a current on the 115 kV de-energized conductor and led to the employee's fatal injuries. The de-energized conductor was grounded at an H-frame to the east of the worksite and was also intermittently grounded with a breakaway bond connected to the



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elevated work platform. A grounding device was also present to the west of the worksite, but it had been disconnected prior to the incident to facilitate the relocation of the conductor.

SED's investigation revealed that the grounding technique used by HWI staff to ground the 115 kV conductor did not comply with SCE's policy. SCE's Grounding Manual, as well as good industry standards, requires grounding devices to be in place on both sides of the worker or workspace when an induction hazard is present, whereas HWI's standard requires only a single grounding device on one side of the worksite.

SCE's CSMS Version 6 (the version applicable at the time of the incident) contains instructions for contractor field monitoring and other practices to ensure that SCE's contractors perform their work safely. The CSMS required that an SCE Representative perform a contractor orientation by reviewing three documents prepared by the contractor. These documents are *The Hazard Assessment*, *The Project/Site-Specific Environmental Health and Safety (EHS) Plan*, and *The Handbook for Contractors Checklist*. Once the contractor has completed and submitted these documents to SCE's Representative, the Representative must review the documents and archive them along with the *Contractor Orientation Review*.

### First Violation

The CSMS requires a Tier 1 contractor to submit both *The Hazard Assessment* and *The Project/Site-Specific EHS Plan* to SCE prior to the start of work. HWI completed and submitted *The Hazard Assessment* form to SCE but did not develop or submit *The Project/Site-Specific EHS Plan*. The CSMS requires *The Project/Site-Specific EHS Plan* to address the hazards identified in *The Hazard Assessment*, such as the hazard of inadvertent energization. By including such hazard mitigation measures in the EHS Plan and based on SCE's policy that requires contractors to follow its own grounding practices, SCE's Representative may have discussed with the contractor the proper grounding practice to use for this specific project. Implementing the proper grounding procedure may have prevented the fatality, or reduced the extent of injury to HWI's employee. SCE is in violation of GO 95, Rule 31.1, for allowing work to proceed without receiving *The Project/Site-Specific EHS Plan* from HWI and thereby failing to ensure that the construction and maintenance of its facilities were performed safely and in accordance with the accepted good practices of SCE's CSMS.

### Second Violation

The CSMS also requires the contractor to complete and submit to SCE *The Handbook for Contractors Checklist*. *The Handbook for Contractors Checklist*, found in SCE's *EHS Handbook for Contractors*, is a checklist of the items covered by the handbook. The purpose of the checklist is to provide an outline of requirements contained in the handbook that the SCE Representative is to review with the contractor representative prior to the start of work. By signing this document, the contractor representative affirms that he or she understands the items contained in the checklist and will ensure compliance with the requirements of the handbook. Among other requirements, the *EHS Handbook for Contractors* states that the contractor must abide by SCE's safety standards, and that the contractor's procedures must not conflict with SCE's. The checklist must be signed and dated by both the contractor's and SCE's representatives.



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In order to complete the checklist properly, HWI would have had to review its procedures and confirm that its grounding procedures complied with those of SCE. SED's investigation revealed that HWI did not complete or submit the checklist to SCE. If HWI had completed the checklist, HWI could have been reminded that its grounding procedures required revision in order to comply with SCE's. SCE is in violation of GO 95, Rule 31.1, for allowing work to proceed without completion of *The Handbook for Contractors Checklist* and thereby failing to ensure that construction and maintenance of its facilities were performed safely and in accordance with the accepted good practices of SCE's CSMS.

### Third Violation

SCE's CSMS further requires that representatives from both companies sign *The Contractor Orientation Review* after *The Hazard Assessment*, *The Site-Specific EHS Plan*, and *The Handbook for Contractors Checklist* have been received. *The Contractor Orientation Review*, found in Appendix E of the CSMS, must be filled out and signed after the three documents have been completed by the contractor and received by SCE's Representative. The purpose of the *Contractor Orientation Review* is to provide a checklist that binds the documents reviewed during the contractor orientation and to ensure mutual understanding between SCE and the Contractor regarding what is required to safely perform work at SCE.

HWI completed *The Hazard Assessment* form prior to the start of work but did not complete or submit to SCE *The Project/Site-Specific EHS Plan* or *The Handbook for Contractors Checklist*. Nonetheless, SCE allowed work to proceed without completion of *The Contractor Orientation Review*. Completion of the review would have revealed that *The Site-Specific EHS Plan* and *The Handbook for Contractors Checklist* had not been completed, and SCE could have prevented HWI from commencing with the project until HWI completed those documents and SCE had reviewed them. The completion and review of those documents would have revealed that HWI's grounding procedure required modification to comply with SCE's grounding procedure. SCE is in violation of GO 95, Rule 31.1, for failing to complete *The Contractor Orientation Review* and thereby failing to ensure that construction and maintenance of its facilities were performed safely and in accordance with the accepted good practices of SCE's CSMS.



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### SED CITATION ANALYSIS

Factor	Staff Finding
Number of violation(s) and duration of violation(s)	<p>Three violations of GO 95, Rule 31.1, all beginning on November 22, 2017 and ending on the day of the incident, January 18, 2018 (58 days). The CSMS requires that a Tier 1 contractor submit to SCE <i>The Hazard Assessment</i>, <i>The Project/Site-Specific EHS Plan</i>, and <i>The Handbook for Contractors Checklist</i> prior to the start of work. SCE’s Representative must then perform a Contractor Orientation and complete and file The Contractor Orientation Review within 15 days of SCE providing the contractor with the notice to proceed. SCE provided HWI with a notice to proceed in the form of a purchase order on November 6, 2017. Fifteen days later was November 21, 2017, and the following day, November 22, 2017 was the first day of violation. The three separate violations of GO 95, Rule 31.1 are:</p> <ol style="list-style-type: none"> <li>1. SCE allowed work to proceed without receiving <i>The Project/Site-Specific EHS Plan</i> from HWI within 15 days after providing HWI with a notice to proceed.</li> <li>2. SCE allowed work to proceed without receiving the completed <i>Handbook for Contractors Checklist</i> from HWI within 15 days after providing HWI with a notice to proceed.</li> <li>3. SCE’s Representative did not complete <i>The Contractor Orientation Review</i> and file it along with <i>The Hazard Assessment</i>, <i>The Project/Site-Specific EHS Plan</i>, and <i>The Handbook for Contractors Checklist</i> within 15 days after SCE provided HWI with a notice to proceed.</li> </ol>
Severity or gravity of the offense	<p><b>Physical Harm:</b> The incident resulted in one fatality.</p> <p><b>Regulatory Harm and Number of Violations:</b> SED identified three violations of GO 95, Rule 31.1 during the course of its investigation.</p>
Conduct of the utility	<p>GO 95, Rule 31.1 requires utility companies to conduct construction activities in accordance with accepted good practice and to do so in a way that is not unusually dangerous to workmen. The CSMS and its requirements, being official SCE policy, is one such accepted good practice.</p>



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Factor	Staff Finding
	<p>Based on the CPUC Decision 17-06-028, SCE created a contractor safety program to ensure that its contractors are qualified to perform required work in a safe manner.</p> <p>SCE's Contractor Safety Management Standard (CSMS) Version 6 contains instructions for contractor field monitoring and other practices to ensure that SCE's contractors perform their work safely. SCE allowed work to proceed on the Kramer Junction project without satisfying the requirements of the CSMS.</p> <p>The CSMS requires SCE to receive the completed <i>Hazard Assessment</i>, <i>The Project/Site-Specific EHS Plan</i>, and <i>The Handbook for Contractors Checklist</i> from a Tier 1 contractor prior to the commencement of work. An SCE Representative must then perform a Contractor Orientation with the contractor and file the three documents together with <i>The Contractor Orientation Review</i>.</p> <p>SCE received <i>The Hazard Assessment</i> from HWI, but not <i>The Project/Site-Specific EHS Plan</i> or <i>The Handbook for Contractors Checklist</i>, and did not file the documents along with <i>The Contractor Orientation Review</i>.</p> <p>Completion of the missing documents would have enabled SCE to detect that HWI's grounding standards did not meet or exceed SCE's and SCE would have prevented work from proceeding until HWI's standards had been amended. This would have resulted in the conductor being grounded in a safer manner and may have prevented the incident.</p>



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Factor	Staff Finding
Prior history of similar violations	<p>SED's incident investigations have found that SCE failed to meet the requirements of its CSMS on at least two other occasions. Examples include:</p> <ul style="list-style-type: none"><li>• E20181120-01 – SCE violated GO 128, Rule 17.1 by allowing work to proceed on a project without receiving <i>The Hazard Assessment, The Project/Site-Specific EHS Plan, and The Handbook for Contractors Checklist</i> from the contractor prior to the start of work. Four contractor employees were injured during an arc flash while working on the project.</li><li>• E20181217-01 – SCE violated GO 95, Rule 31.1 by allowing work to proceed on a project without receiving the <i>Project/Site-Specific EHS Plan</i> from the contractor prior to the start of work. Two contractor employees were injured when a pole failed while working on the project.</li></ul> <p>SED's incident investigations have also found that SCE violated GO 95, Rule 31.1 no fewer than sixteen times in the five years preceding the incident. Examples include:</p> <ul style="list-style-type: none"><li>• E20130415-03 – SCE violated GO 95, Rule 31.1 for failing to grease a bolt on a connector as required by SCE's Detailed Overhead Construction Standards. This resulted in fluctuating voltage that damaged several homes.</li><li>• E20140515-01 – SCE violated GO 95, Rule 31.1 for failing to maintain a connector on a 12 kV conductor. The connector failed, allowing the conductor to fall to the ground where it made contact with a third-party individual, resulting in a fatality.</li><li>• E20140616-02 – SCE violated GO 95, Rule 31.1 by approving plans for a new building to be constructed below its 16 kV primary conductors. SCE approved the building plans without inquiring as to the building's height and did not verify that the minimum clearance of 12 feet between the roof of the building and the conductors would be maintained as required by GO 95, Rule 37. SED's investigation found that the vertical clearance between the roof and the conductor was only 7 feet, 3.5 inches. One third-party contractor employee was injured when he made contact with the conductor with a metal tool while working atop the building.</li></ul>
Self-reporting of the violation	N/A





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Factor	Staff Finding
Financial resources of the utility	Approximately 5 million electric residential and commercial accounts, serving about 15 million people, \$14.9 billion in revenue in 2021.
The totality of the circumstances	<p>Aggravating factors include:</p> <ul style="list-style-type: none"><li>• The death of the contractor employee;</li></ul> <p>Mitigating factors include:</p> <ul style="list-style-type: none"><li>• SCE has revised its CSMS and created new procedures for contractor monitoring. These include, but are not limited to:<ol style="list-style-type: none"><li>1. Combining <i>The Hazard Assessment and Project/Site-Specific EHS Plan</i> into a single document, <i>The Hazard Assessment and Safety Plan (HASP)</i>. SCE also created <i>The Contractor Handbook and Orientation Checklist (CHOC)</i>.</li><li>2. SCE now requires its contractors to submit the HASP and CHOC at the time of bidding, rather than before the start of work and the forms must be signed when the purchase order is executed.</li><li>3. SCE has created a centralized database where CHOCs and HASPs are uploaded and stored, and has dedicated resources to perform audits of the database every week to confirm the required documents have been uploaded. Additionally, SCE's contractors are required to upload the CHOC and HASP in the database managed by SCE's Third-Party Administrator.</li><li>4. The Transmission Contractor Site-Specific Grounding Plan(s) Process/Procedure requires transmission source contractors and contractors bidding on transmission bid-based projects to submit detailed grounding sketches for review and comment by SCE.</li><li>5. SCE's revised <i>Health and Safety Handbook for Contractors</i> includes additional, enhanced safety requirements for contractors performing high-voltage transmission work. These requirements include, among other things: a higher frequency of safety observations, a minimum of one dedicated safety professional for every 30 employees, and a requirement that each high-voltage crew have an automated external defibrillator onsite.</li></ol></li></ul> <p>Circumstantial factors include:</p> <ul style="list-style-type: none"><li>• SCE self-reported this incident under the injury or fatality criterion set forth in Resolution E-4184.</li></ul>



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Factor	Staff Finding
The role of precedent	The CPUC has not previously issued a citation to SCE for failing to fulfill the requirements of its CSMS. SED has issued Notices of Violation to SCE for this reason on two other occasions as described above in the “Prior History of Similar Violations” section. However, in this incident, a fatality was associated with SCE’s failure to follow its CSMS.
<b>Resultant Citation Taking All Of These Factors Into Account</b>	<b>The penalty is \$4,500,000 (Four million, five hundred thousand dollars).</b>  The per day penalty in this case is a maximum of \$50,000 per day and a minimum of \$500 per day for each violation under California Public Utilities Code Section 2107 (applicable at the time the incident occurred). M-4846 and D.16-09-055 provide the factors to apply to determine the appropriate penalty within that range, which are discussed in this citation analysis section. SED applies these factors for each of the three violations and determines each one has a penalty of about \$25,860 per day, and a 58 day duration.



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### **RESPONSE:**

Respondent is called upon to provide a response to this Citation by: **5:00 PM on January 16, 2023**. By way of such response, Respondent, **within 30 calendar days**, must either pay the amount of the penalty set forth in this citation<sup>1</sup>, or appeal<sup>2</sup> the citation. In addition, the Respondent must do one of the following:

- (1) For violations constituting immediate safety hazards: Respondent must immediately correct the immediate safety hazards.
- (2) For violations that do not constitute immediate safety hazards: Violations that do not constitute immediate safety hazards must be corrected within 30 days after the citation is served. If said violations that do not constitute immediate safety hazards cannot be corrected within 30 days, then the Respondent must submit a detailed Compliance Plan to the Director of SED within 30 days after the citation issues, unless the utility and the Director of SED, before the expiration of the 30 day period, agree in writing to another date, reflecting the soonest that the Respondent can correct the violations. The Compliance Plan must provide a detailed description of when the violation will be corrected, the methodology to be utilized, and a statement supported by a declaration from the Respondent's Chief Executive Officer or appropriate designee (CEO Declaration) stating that in the Respondent's best judgment, the time that will be taken to correct the violation will not affect the safety or integrity of the operating system or endanger public safety.

Note: Respondent will forfeit the right to appeal the citation by failing to do one of the options outlined above within 30 days. Payment of a citation or filing a Notice of Appeal does not excuse the Respondent from curing the violation. The amount of the penalty may continue to accrue until a Notice of Appeal is filed. Penalties are stayed during the appeal process. A late payment will be subject to a penalty of 10% per year, compounded daily and to be assessed beginning the calendar day following the payment-due date. The Commission may take additional action to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

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<sup>1</sup> For fines paid pursuant to Pub. Util. Code §2107 and D.16-09-055 Respondent shall submit a certified check or wire transfer 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 this citation will become final.

<sup>2</sup> Respondent may Appeal this citation by completing and submitting a Notice of Appeal Form. Please see the attached document, "Directions For Submitting An Appeal To A Citation Issued Pursuant to Decision 16-09-055" for information on the appeals process and the attached "Notice of Appeal Of Citation Form."



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### **NOTIFICATION TO LOCAL AUTHORITIES:**

As soon as is reasonable and necessary, and no later than 10 calendar days after service of the citation is effected, Respondent must provide a notification to the Chief Administrative Officer or similar authority in the city and county where the violation occurred. Within 10 days of providing such notification, Respondent must serve an affidavit to the Director of SED, at the mail or e-mail address noted below, attesting that the local authorities have been notified; the date(s) for when notification was provided; and the name(s) and contact information for each local authority so notified.

The CPUC expects the Utility to take actions, as soon as feasible, to correct, mitigate, or otherwise make safe all violations noted on the Citation regardless of the Utility's intentions to accept or appeal the violation(s) noted in the Citation.

**Leslie L Palmer**

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Palmer  
Date: 2022.12.16 06:41:44 -08'00'

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***Lee Palmer***  
Director  
Safety and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Leslie.Palmer@cpuc.ca.gov



**Public Utilities Commission**  
STATE OF CALIFORNIA

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**CITATION PAYMENT FORM**

I (we) \_\_\_\_\_ hereby agree to comply with this citation dated \_\_\_\_\_, and have corrected/mitigated the violation(s) noted in the citation on \_\_\_\_\_ and no later than \_\_\_\_\_, \_\_\_\_\_ all work to make permanent corrections to any mitigated, or otherwise remaining concerns related to the violation(s) will be completed as noted in the Compliance Plan we have submitted to the Director of SED and, herewith, pay a fine in the amount of \$ \_\_\_\_\_ as included in the citation.

Signature of Electrical Corporation’s Treasurer, Chief Financial Officer, or President/Chief Executive Officer, or delegated Officer thereof

\_\_\_\_\_  
(Signature) (Date)

\_\_\_\_\_  
(Printed Name and Title)

Payment must be with a certified check made or wire transfer payable to the **California Public Utilities Commission** and sent to the below address. Please include the citation number on the memorandum line to ensure your payment is properly applied.

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

**NOTE:** A copy of the completed Citation Payment Form must be sent to the Director of the Safety and Enforcement Division, via email or regular mail, to the address provided on the Citation.



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### **DIRECTIONS FOR SUBMITTING AN APPEAL TO A CITATION ISSUED PURSUANT TO DECISION 16-09-055**

Within 30 calendar days of the Respondent being served with a **CITATION ISSUED PURSUANT TO DECISION 16-09-055**, Respondent may appeal the citation. Beyond 30 calendar days of being served with the citation, Respondent is in default and, as a result, is considered as having forfeited rights to appeal the citation. The Respondent must still correct the violation(s) as instructed in the Response section of this citation.

To appeal the citation, Appellant must file a Notice of Appeal (including a completed title page complying with Rule 1.6 of the Commission's Rules of Practice and Procedure, and attached Notice of Appeal Form) along with copies of any materials the Appellant wants to provide in support of its appeal with the Commission's Docket Office **and** must serve the Notice of Appeal, at a minimum, on

- 1) The Chief Administrative Law Judge (with an electronic copy to:  
[ALJ\\_Div\\_Appeals\\_Coordinator@cpuc.ca.gov](mailto:ALJ_Div_Appeals_Coordinator@cpuc.ca.gov)),
- 2) The Director of the Safety and Enforcement Division
- 3) The Executive Director
- 4) General Counsel
- 5) The Director of the Office of Ratepayer Advocates

at the address listed below within 30 calendar days of the date on which the Appellant is served the Citation. The Appellant must file a proof of service to this effect at the same time the Appellant files the Notice of Appeal. The Notice of Appeal must at a minimum state: (a) the date of the citation that is appealed; and (b) the rationale for the appeal with specificity on all grounds for the appeal of the citation.

***California Public Utilities Commission***  
***505 Van Ness Ave.***  
***San Francisco, CA 94102***  
***Attn: <Insert Title>***

**NOTE:** Submission of a *Notice of Appeal Form* in no way diminishes Appellant's responsibility for correcting the violation described in the citation, or otherwise ensuring the safety of facilities or conditions that underlie the violations noted in the Citation.

Ex Parte Communications as defined by Rule 8.1(c) of the Commission's Rules of Practice and Procedure, are prohibited from the date the citation is issued through the date a final order is issued on the citation appeal.



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After receipt of the Appellant's *Notice of Appeal Form*, a hearing will be convened before an Administrative Law Judge. At least ten days before the date of the hearing, the Appellant will be notified and provided with the location, date, and time for the hearing. At the hearing,

- (a) Appellant may be represented by an attorney or other representative, but any such representation shall be at the sole expense of the Appellant;
- (b) Appellant may request a transcript of the hearing, but must pay for the cost of the transcript in accordance with the Commission's usual procedures;
- (c) Appellant is entitled to the services of an interpreter at the Commission's expense upon written request to the Chief Administrative Law Judge not less than five business days prior to the date of the hearing;
- (d) Appellant is entitled to a copy of or electronic reference to "Resolution ALJ-299 Establishing Pilot Program Citation Appeal and General Order 156 Appellate Rules (Citation Appellate Rules)"; and
- (e) Appellant may bring documents to offer in evidence (Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies) and/or call witnesses to testify on Appellant's behalf. At the Commission's discretion, the hearing in regard to the Appellant's appeal can be held in a CPUC hearing room at either of the following locations:

**San Francisco:**  
505 Van Ness Avenue  
San Francisco, CA 94102

**Los Angeles:**  
320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013

The hearing(s) held in regard to the Appellant's appeal will be adjudicated in conformance with all applicable Public Utilities Code requirements.







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**Enclosures to Accompany Utility Appeal**

*Utility to add list of Enclosures as appropriate:*