# Commissioner Code of Conduct

California Public Utilities Commission
Annual Attestation
2016

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| Category: **Governance** | Title: **Commissioner Code of Conduct** |
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The California Public Utilities Commission (CPUC) promotes and serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at just and reasonable rates, with a commitment to environmental protection and a healthy California economy.

CPUC Commissioners are public officials defined in the California Constitution, appointed by the Governor, and subject to confirmation by the state Senate. CPUC Commissioners thus have the responsibility to conduct themselves with the highest integrity and leadership.

Commissioners are responsible to all of the people of the State of California, and not to any particular segment or group. They must act in the public interest, not their private interests or any special interest. They must strictly adhere to all legal and ethical requirements and avoid all situations where prejudice, bias, or opportunity for personal gain could influence their decisions. In both public and private interactions, Commissioners must follow carefully the Commission's rules that are intended to ensure due process and fairness for all interested parties and the public, and encourage all others to do the same.

The primary responsibility of the Commissioners is the formulation and evaluation of policy and regulation for the industries subject to the Commission's jurisdiction, pursuant to the Constitution and to statutory provisions enacted by the Legislature and the Governor.

## Legal Responsibilities of All Commissioners

All Commissioners must adhere to all legal requirements for gubernatorial appointees in the State of California, including, but not limited to, the Political Reform Act, the Bagley-Keene Open Meeting Act, Government Code section 1090 (no financial interest in agency contracts), Government Code section 19990 (no incompatible activities), the statutory provisions and adopted Commission rules regarding ex parte contacts, and the Commission Rules of Practice and Procedure.

In the conduct of the Commission's business, it is the responsibility of each Commissioner to adhere to the statutory, regulatory, and policy requirements and to seek appropriate legal advice if necessary. The Commissioner's first priority should be the needs of the CPUC's constituents. When a Commissioner believes he or she may have a conflict of interest, he or she shall request guidance from the General Counsel.

Pursuant to Public Utilities Code section 305, the President shall direct the executive director, general counsel, and other staff of the Commission (with the exception of the Office of Ratepayer Advocates) in the performance of their duties, in accordance with Commission policies and guidelines. The Commission may delegate matters, for example aspects of its operations, to its professional staff, and may act in an oversight role.

These legal responsibilities do not fully address, however, the importance of conducting Commission business in a responsible way that reflects the highest ideals of public service. This Code of Conduct reflects the collective view of this Commission about how Commissioners should conduct themselves as public servants.

## I. Commissioners should conduct themselves in a manner that demonstrates respect for the public, for fellow Commissioners, and for Commission staff.

Commissioners should remain committed to observing the letter and the spirit of the law, Commission rules and procedures, and act in a manner that upholds the credibility of the Commission, while practicing civility, integrity, and decorum in discussions.

In order to govern the conduct between Commissioners and the public, among Commissioners, and between Commissioners and CPUC staff, all Commissioners commit to, at all times, the following:

- Fully participating in Commission meetings and other public forums a Commissioner attends, while demonstrating respect, consideration, and courtesy to others.

- Preparing in advance of Commission meetings and familiarizing themselves with issues on the agenda.

- Actively engaging in the proceedings to which they are assigned and endeavoring to meet applicable deadlines.

- Being respectful of other people's time by staying focused and acting efficiently during public meetings, while asking well-founded questions or raising appropriate points that advance the dialogue and decision-making process.

- Serving as a model of leadership and civility to the public and demonstrating honesty and integrity in every action and statement.

- Participating in scheduled activities to review and increase the effectiveness of Commission procedures, such as this Code of Conduct.

## II. Commission meetings should be opportunities for a full and respectful exchange of ideas and the responsible execution of Commission duties.

The President will chair official meetings of the Commission, unless the President designates another Commissioner as the temporary chair. The President's responsibilities are the following:

- Maintain order and decorum, and ensure the fair treatment of all speakers.

- Keep discussion and questions focused on the specific agenda item under consideration and ensuring that discussion of related items advance deliberation of the agenda item.

- Manage the meetings in a manner that complies with statutory requirements, including the Bagley-Keene Act and constitutional principles of due process, and seek advice from Commission attorneys as necessary to ensure that compliance.

- Ensure all agenda items are given the opportunity to be discussed and voted on by Commissioners in a manner that is fair, unbiased, and reflects the positions of all the Commissioners.

At all types of Commission meetings (Commission voting meetings, public participation hearings, evidentiary hearings, workshops, and all-party meetings), all Commissioners should:

- Be welcoming to speakers and treat them with respect.

- Be fair in allocating public hearing time to individual speakers, consistent with the Commission's rules.

- Listen attentively.

- With members of the public, request clarification or expansion of information, and avoid belligerently challenging the speaker.

- Refrain from personal attacks of any kind, under any circumstance. Commissioners should be aware that their body language and tone of voice, as well as the words they use, are visible to the audience in the auditorium and on the webcast, and can appear intimidating or aggressive.

## III. Serving on the Commission is an honor and Commissioners should treat their colleagues at the Commission with respect for the varied backgrounds, skills and interests that each one brings.

In public interactions, Commissioners should:

- Practice civility and decorum in discussions and debate. Differences of opinion and debate are to be expected, but Commissioners should refrain from belligerent comments, shouting, or actions that could be construed as threatening or intimidating.

- Honor the President's duty to maintain order by making respectful suggestions to assist the President in maintaining order and civil discourse.

- Engage other Commissioners in a manner that promotes a respectful dialogue and avoids personal comments.

- Demonstrate effective problem-solving approaches.

- Differing viewpoints are healthy in the decision-making process. Once the Commission takes action, Commission members should commit to implementing said action in accordance with their responsibilities as public officials.

In both public and private, Commissioners should:

- Be clear about whether they are acting in their professional capacity or representing personal interests. If a Commissioner appears before or corresponds with another governmental agency or organization to give a statement, the Commissioner should indicate: 1) whether his or her statement reflects personal opinion or is the official stance of the CPUC; and 2) whether this is the majority or minority opinion of the Commission. If the Commissioner is representing the CPUC, the Commissioner should indicate the official CPUC position on an issue, as reflected in a Commission vote on an issue. If a Commissioner who did not vote with the majority on a matter wishes to speak to the reasons for his or her vote, the Commissioner should do so in a way that respectfully recognizes Commissioner deliberation and the vote of the majority.

- Media representatives frequently contact Commissioners seeking background information or quotes. It is acceptable, and indeed preferable, that any direct contacts be channeled through the Commission's Public Information office.

- Continue respectful behavior in private. The same level of respect and consideration of differing points of view appropriate for public discussions should be maintained in private conversations.

- Commissioners must follow the formal rules of the CPUC, including the rules regarding ex parte contacts. Commissioners should maintain a professional level of objectivity and should act in a manner, in both private and public interactions, that promotes a culture of fairness and observance of the rules.

## IV. Commissioners are public officials who should uphold the integrity of their office at all times.

- Commissioners should make no promises on behalf of the Commission to parties or members of the public. Commissioners will frequently be asked to explain a Commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Commission policy and to refer to CPUC staff for further information. It is inappropriate to promise a certain outcome from Commission action, overtly or implicitly.

- Commissioners should treat all staff as professionals and engage in clear, honest communication that respects the abilities, experience, and dignity of each individual. The CPUC is committed to providing a workplace where all employees, regardless of their classification or pay status, are treated by supervisors and managers in a manner that maintains generally accepted standards of human dignity and courtesy. Unprofessional or disrespectful behavior towards staff is not acceptable. Commissioners should develop a working relationship with the Executive Director so that current issues, concerns and CPUC initiatives can be discussed comfortably and openly.

- Even as Commissioners are frequently active in community organizations and charitable activities, they should refrain from soliciting political, charitable, or other financial support, business, or other favors from Commission staff, employees of regulated entities, parties to Commission proceedings, or entities seeking to do business of any kind with the Commission, where such solicitations could be perceived as an attempt to influence behavior or are directly related to matters before the Commission.

*Signature Page*

2/18/2016

Commissioner Signature Date

Liane Randolph

Commissioner Name (Printed)