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Transportation Enforcement Branch
California Public Utilities Commission**

**GCLA Regional Meeting – Sacramento
October 19, 2016**





Passenger Carrier Enforcement

Enforcement
Actions

Audit Trends

Proceedings

Outreach





Mission Statement

- The California Public Utilities Commission serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy California economy.
- We regulate utility services, stimulate innovation, and promote competitive markets, where possible, in the communications, energy, transportation, and water industries.





The Commission Investigates

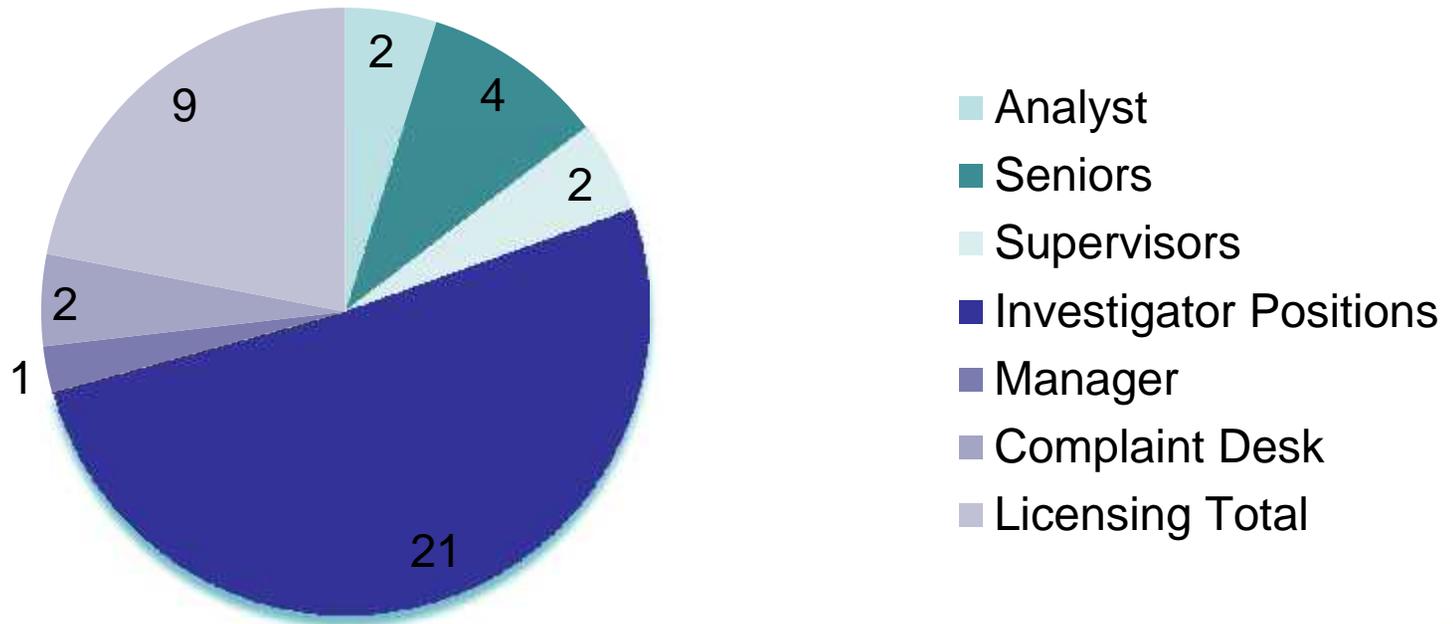
- ❖ Compliance by passenger carriers (limousines, airport shuttles, charters, and scheduled bus operators) who obtain permits or certificates after providing financial responsibility and safety information to the Commission, including evidence of liability insurance and California Highway Patrol safety inspection and approval of passenger buses.
- ❖ The Transportation Enforcement responds to and investigates complaints of unsafe, unlicensed and uninsured passenger carriers, and responds to complaints against licensed carriers concerning carrier fitness, overcharging, discriminating in service, failing to provide service or failing to respond to customer complaints.
- ❖ Enforcement Section staff initiate enforcement action through the Commission and through the California courts. They also coordinate closely with other law enforcement and regulatory agencies in ensuring that only safe, legal and properly inspected carriers transport passengers in California
- ❖ Persons with complaints concerning Passenger Carriers may contact our Consumer Complaint Unit at 1-800-894-9444.





Staffing for Whole State (41)

Enforcement Staff





Consumer Intake Complaints Received

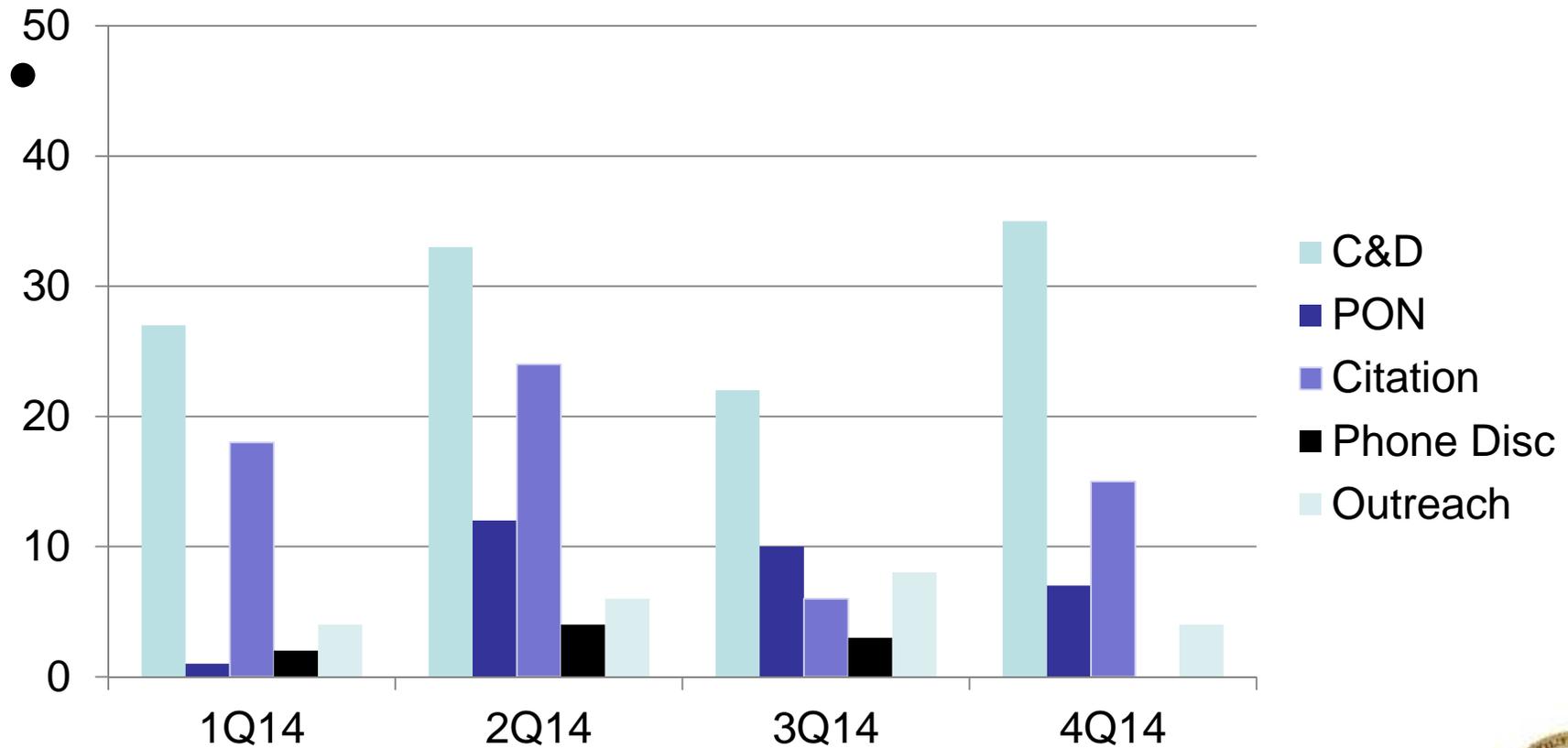
Year	Complaints	Enforcement Cases Opened	Enforcement Cases Closed
2013	184	203	173
2014	221	181	192
2015	271	220	217
2016	318*	148	194

*As of 10/17/16



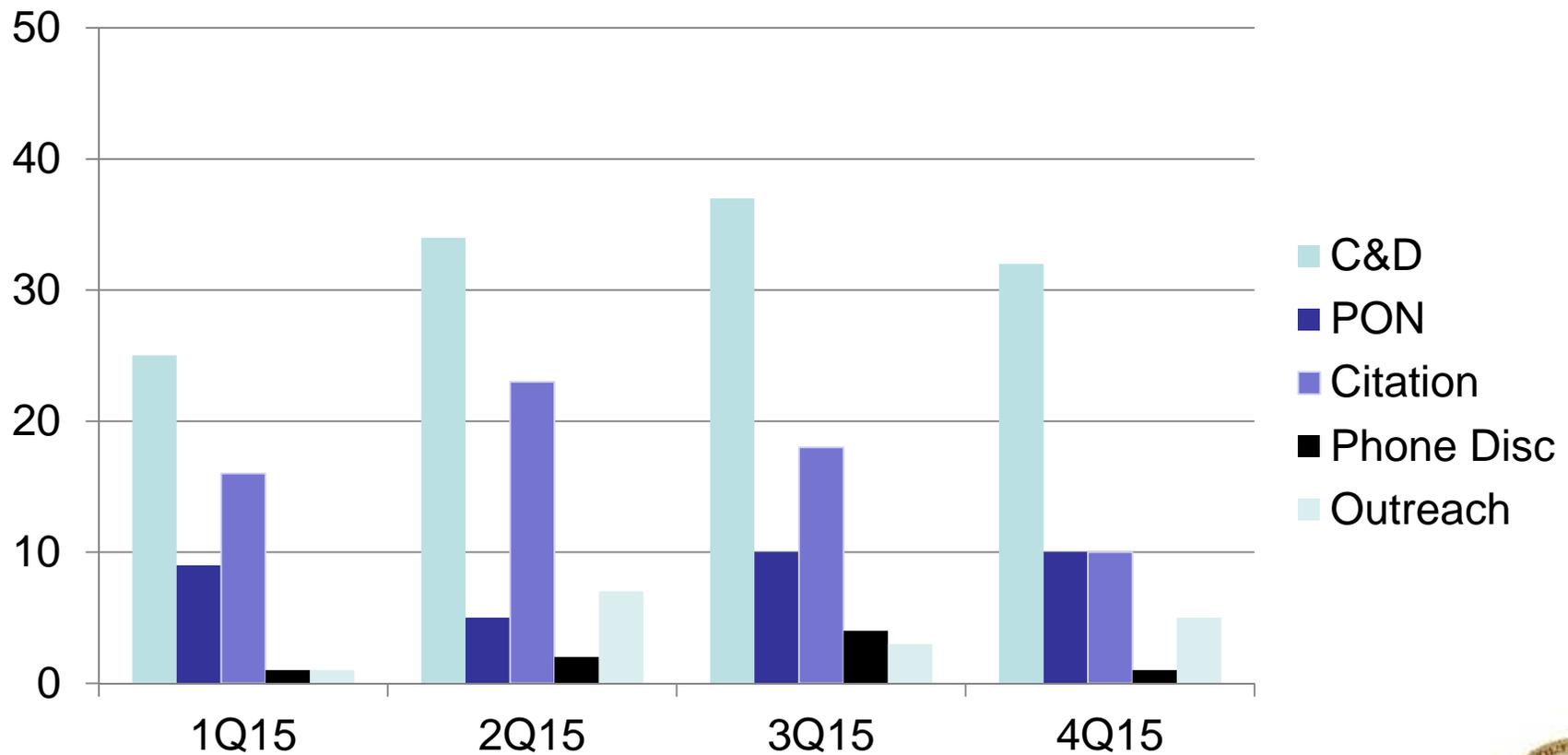


Enforcement Actions 2014



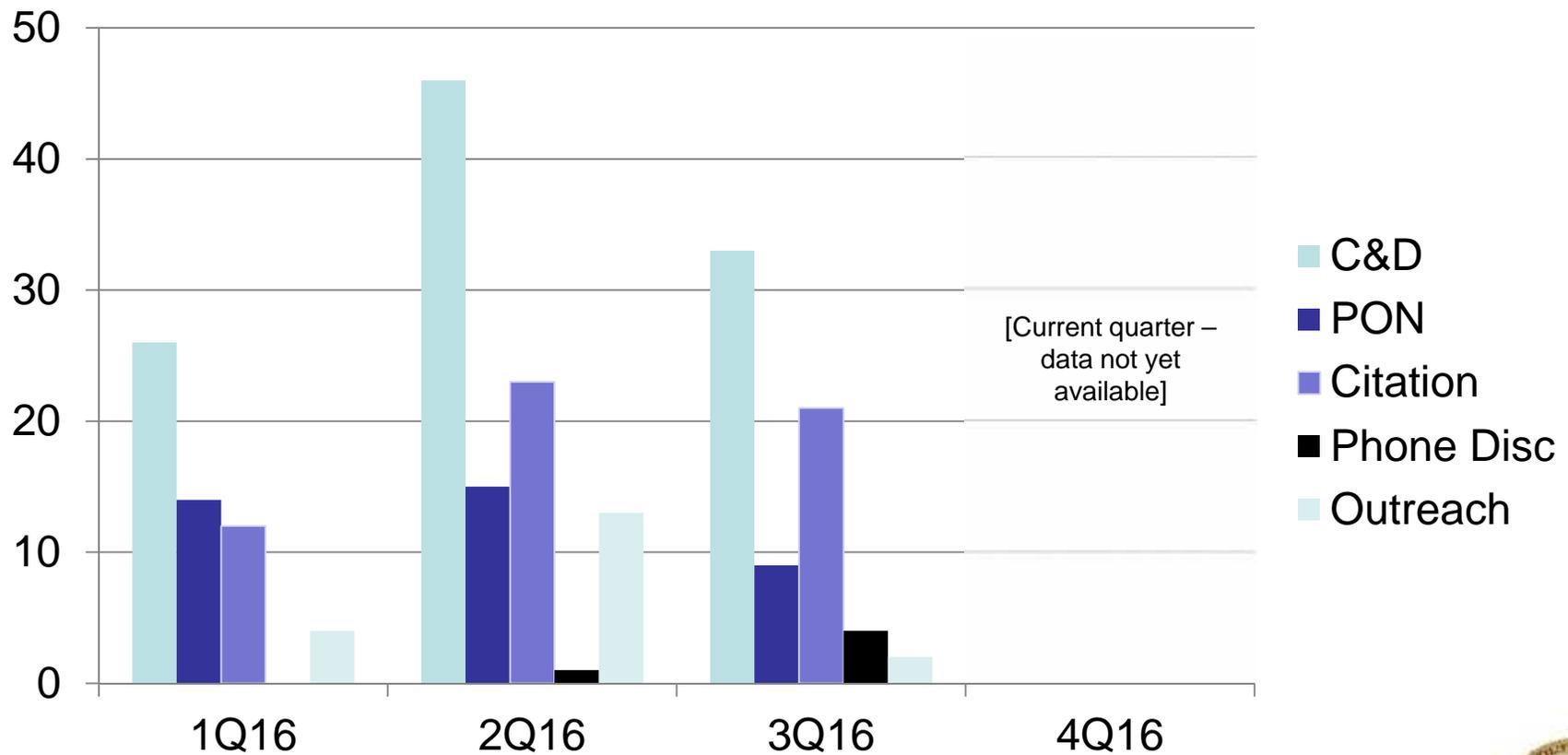


Enforcement Actions 2015





Enforcement Actions 2016



10





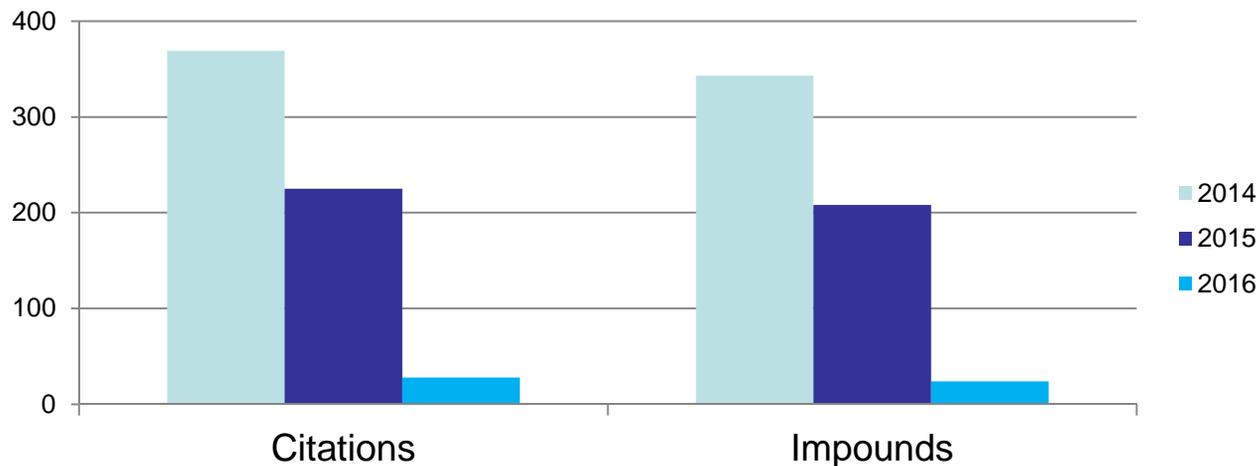
Los Angeles International Airport Enforcement Program

Citations issued by LAX police

- 2014 – 369
- 2015 – 225
- 2016* - 28

Number of vehicles impounded

- 2014 – 343
- 2015 – 208
- 2016* - 24



- Unlicensed operations only
- Increase in 2014 & 2015 TNCs
- * As of 9/30/16





Criminal Cases

	2013	2014	2015	2016*
Filings	2	2	3	1

Formal Proceedings

	2012/2013	2014/2015	2016/2017*
OIR	1	2	2
OII	1		
OSC		2	
Resolutions			1
* Through 10/17/2016			





Annual Enforcement Actions

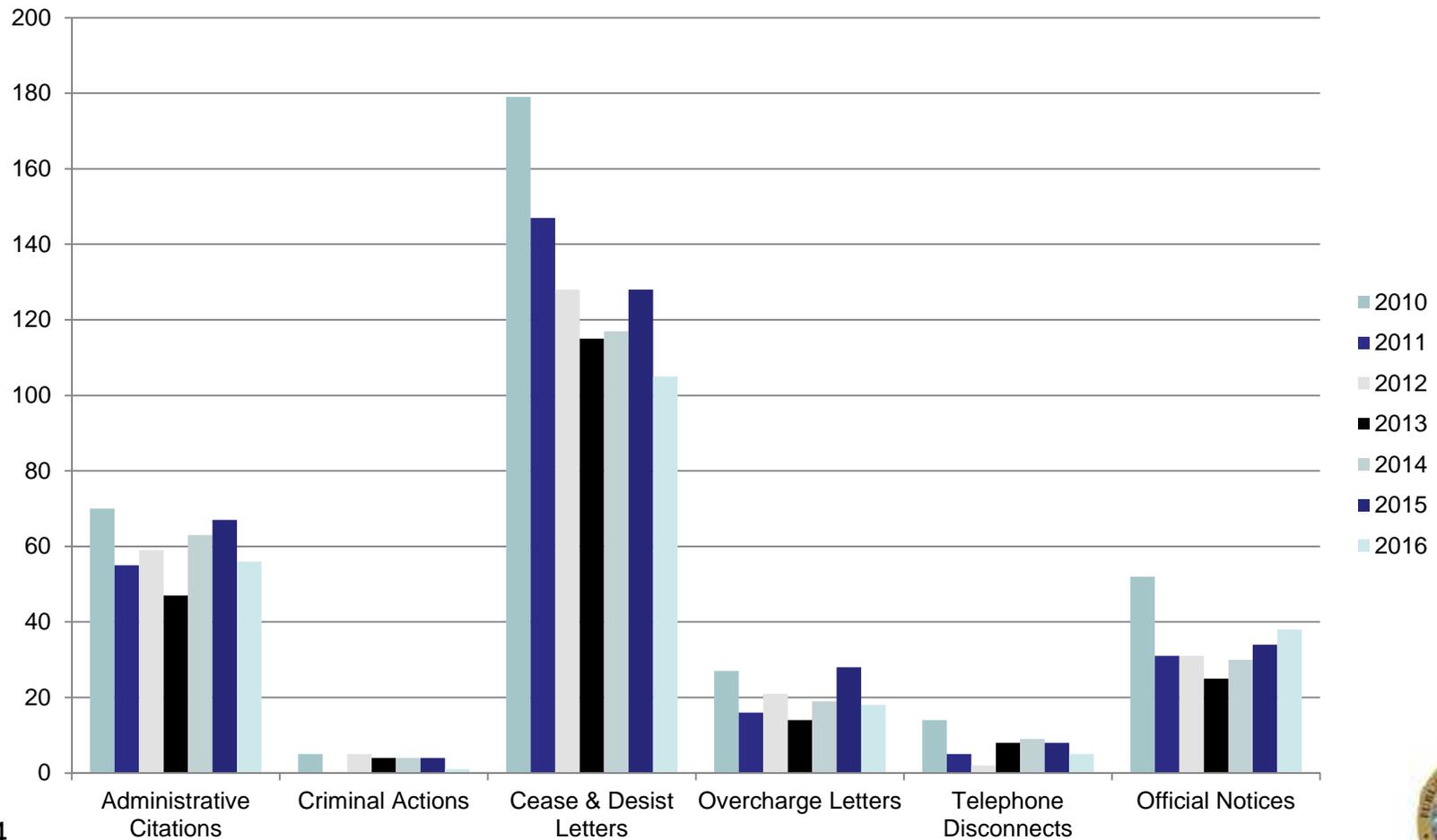
Year	Administrative Citations	New Criminal Actions	Cease & Desist Letters	Overcharge Letters	Telephone Disconnects	Official Notices
2016*	70	5	179	27	14	52
2015	55	0	147	16	5	31
2014	59	5	128	21	2	31
2013	47	4	115	14	8	25
2012	63	4	117	19	9	30
2011	67	4	128	28	8	34
2010	56	1	105	18	5	38

As of 9/30/2016





Annual Enforcement Actions





Amounts Collected From Audits and Resolution of Complaints

	2013	2014	2015	2016
Fines	\$85,976	\$120,845	\$138,399	\$103,672
Uncollected PUCTRA Fees	\$7,672	\$25,014	\$29,384	\$19,333
Refunds to Customers	\$3,234	\$3,442	\$9,490	\$8,118





Common Audit Findings

- Operating Without a Permit or Certificate
- Operating after Suspension, Revocation or Expiration of Authority
- Operating Without PLPD Insurance
- Operating Without Workers' Compensation Ins.
- Failure to Maintain Records and Waybills
- Advertising Without an Active Authority





More Audit Findings

- Operating Vehicles Not Listed on the Equipment List
- Failure to Enroll Drivers in DMV EPN and Drug Programs
- Failure to Report or Underreporting Gross Revenue on PUCTRA Form
- Underpaying PUCTRA Fees





Citations

- **Citations**
 - Cooperative vs. Uncooperative
 - Safety Concerns
 - Repeat Offenders
- **Appeals**
 - Read the Citation and Appeal Rights
 - 20 Days to File an Appeal
 - Must Prove Violations are not Valid





Enforcement Tools

- **Administrative Actions**
 - Cease and Desist Letter, Official Notice, Overcharge Letter
 - Administrative Citation (up to \$20,000 fine assessed)
 - Order Instituting Investigation OII / Order To Show Cause OSC (Fine Unlimited)
- **Civil Actions**
 - Temporary Restraining Order / Injunction
 - Telephone Disconnection
 - Subpoena Records
 - Search Warrants
- **Criminal Prosecutions – Referral to District Attorney**
- Each Local Jurisdiction Handles Criminal Complaints Uniquely
- **Joint Efforts with Law Enforcement & Regulatory Agencies**
 - Joint inspection at airports and major area of interests
 - Sting operations
 - Referrals from Citations Issued by Local Authorities





Law Enforcement Strike Teams

- **Airports:** San Francisco, San Jose, Oakland, Los Angeles, San Diego, Orange County Sacramento
- Graton Casino, Cache Creek
- Yosemite National Park, Muir Woods
- Fisherman's Wharf, Border Crossings
- Universities, Concerts, Special Events





Inspections





Outreach to Allied Agencies

- California Highway Patrol
- **Airports**
- Local Police and Sheriff
- **Department of Insurance**
- Local District and City Attorneys
- **City & County Transportation Agencies**
- Neighborhood and Business Associations





CPUC Proceedings

Rules of Practice & Procedure (<http://www.cpuc.ca.gov/codelawsrules/>)

3 Proceeding Types –

- **Ratesetting** – Sets and investigates rates.
- **Quasi-Legislative** – Establishes policies or rules.
- **Adjudicatory** – Investigates violations.

How to Become a Party

- Formal & Informal
- Adhere to the Schedule
- Document Format, Deadlines, Courtroom Etiquette

Ex Parte Communications

- Procedures to ensure due process
- How and When to Communicate Substantive Matters with Decision Makers
- Oral or Written Communication between a Decision-maker & Interested Person





CPUC Proceedings (Cont.)

Participating at Public Participation Hearings & Workshops

- ✓ Public's Opportunity to Express Opinions on Issues Before the CPUC
- ✓ Judge Presides Over Hearing – Occasionally Commissioners
- ✓ Send Request to Public Advisors Office 3 days Prior to Meeting
- ✓ No Advance Reservations to Attend – Sign up to Speak
- ✓ Large crowd – Time Limits, Court Reporter is present

Participating at a Voting Meeting

- ✓ Commissioners Discuss and Vote on Proposed Policies, Rules, and Other Matters
- ✓ Schedule and Agenda Posted on CPUC Website
- ✓ Sign Up To Speak, Can Provide Copy of Written Comments





P - A - B - C - S - Z - PSC -TNC





New Website

The screenshot shows the California Public Utilities Commission (CPUC) website. The browser address bar displays "http://www.cpuc.ca.gov". The website features a blue header with the "CA.GOV" logo and the text "California Public Utilities Commission". A navigation menu includes links for "About Us", "Safety", "Transparency", "Utilities & Industries", "Licensing", "Proceedings", "Complaints", and "ORA". A central banner for "Meetings and Events Calendar" includes a link to "Visit the Commission's Meeting and Events Calendar". Below this, a section titled "California Public Utilities Commission" provides a brief overview of the CPUC's role in regulating privately owned utilities. To the right, a "Looking for Consumer Information?" section offers a link to the Consumer Information Website. The "CPUC Provides Valuable Support Programs" section lists five programs: California Utility, CARE / PERA, CAP, DDF, and CTF, each with a brief description of its benefits. At the bottom right, there is an "Events" section with a calendar for the month of October.

CA.GOV California Public Utilities Commission

Home About Us Safety Transparency Utilities & Industries Licensing Proceedings Complaints ORA

Meetings and Events Calendar
Visit the Commission's Meeting and Events Calendar

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California Public Utilities Commission

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Looking for Consumer Information?

The CPUC regulates privately owned electric, natural gas, telephone, water, and sewer utilities. Unfortunately, we cannot help you resolve issues with publicly owned or municipal utilities, such as SMUD or the Los Angeles Department of Water and Power.

Visit the Consumer Information Website

CPUC Provides Valuable Support Programs

- California Utility**
Provides discounted home phone and cell phone services to eligible households
- CARE / PERA**
Lower your Energy Bill!
- CAP**
California Advanced Services Fund (CASF) provides deployment of high-quality advanced communications
- DDF**
Provides assistive telecommunications equipment, speech generating devices, and relay services
- CTF**
Provides discounted communications services to schools, community colleges, libraries, etc.

Events

October						
Mo	Tu	We	Th	Fr	Sa	Su
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22

100%

3:08 AM
10/26/2010



Thank you!

For Additional Information:

cpuc.ca.gov/MoveAndRide

cpuc.ca.gov/tmis

License Section: **800-877-8867** or

Licensing@cpuc.ca.gov

Public Advisor: **866-836-7825** or **415-703-2074**

Fiscal: **415-703-2400**

Call in Payments Using a Credit Card

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