



California Public
Utilities Commission

Monthly Activity Report

CONSUMER PROTECTION AND
ENFORCEMENT DIVISION

April 2024

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TRANSPORTATION LICENSING AND ANALYSIS BRANCH (TLAB)

TLAB’s Licensing Section analyzes applications from carriers, issues permits and certificates to carriers that meet state requirements, writes proposed decisions to approve or deny carriers’ CPCN applications, manages changes to carrier operations, communicates with carriers, and tracks carrier compliance with permit requirements. TLAB’s Analysis Section functions as the Commission’s subject matter expert on policy matters, providing technical and advisory support to commissioners, administrative law judges, and all levels of agency management on transportation matters.

Processing Carrier Applications

TLAB’s Transportation Licensing Section is processing and managing applications for over 7,500 carriers throughout California. Items processed in April 2024 include applications, vehicle and driver updates, vehicle safety inspection results, and other requests. This work is accomplished through the CPUC Transportation Carrier Portal (TCPortal), an online system that allows carriers to submit applications and other requests electronically and make payments online. The TCPortal tracks certain licensing activities as shown in the following tables and figures.

Figure 1. Total Permits & Certificates

Total Permits and Certificates. Figure 1 shows the total number of operating authorities (active and suspended) by month.

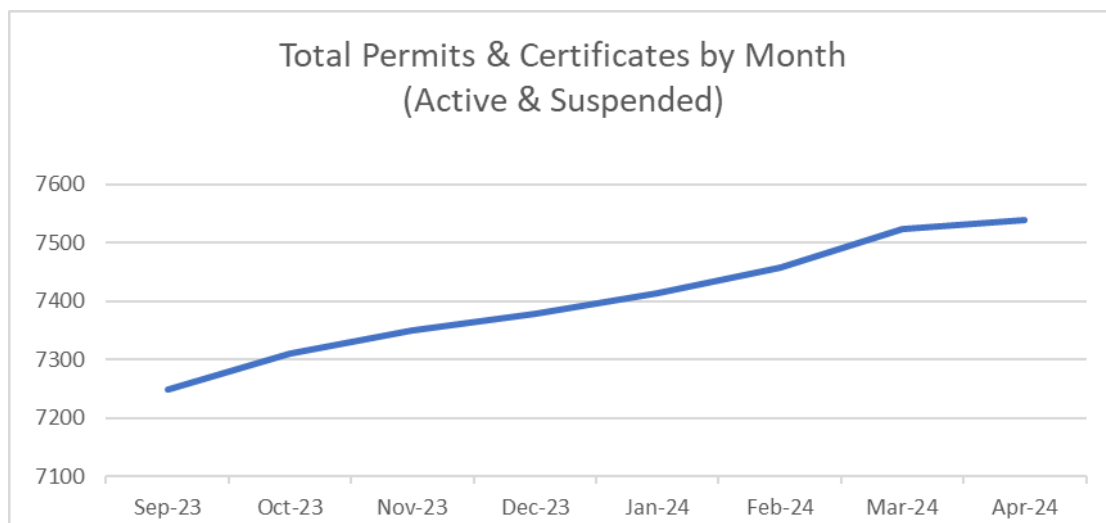


Table 1. Permits and Certificates by Category

Permits and Certificates by Category. The Commission grants permits and certificates for five categories of transportation carriers. Table 1 shows total numbers for those categories in the current month.

Carrier Type	Current Total
Transportation Charter Party	7,399
Passenger Stage Corporation	102
Vessel Common Carrier	15
Transportation Network Company	19
Autonomous Vehicle	5

Figure 2. Monthly Completions of Permit Categories

Monthly Completions of Permit Categories. In addition to new applications for operating authorities, TLAB processes refile applications, transfer applications, and renewal applications. Figure 2 shows the application numbers of each category completed by month.

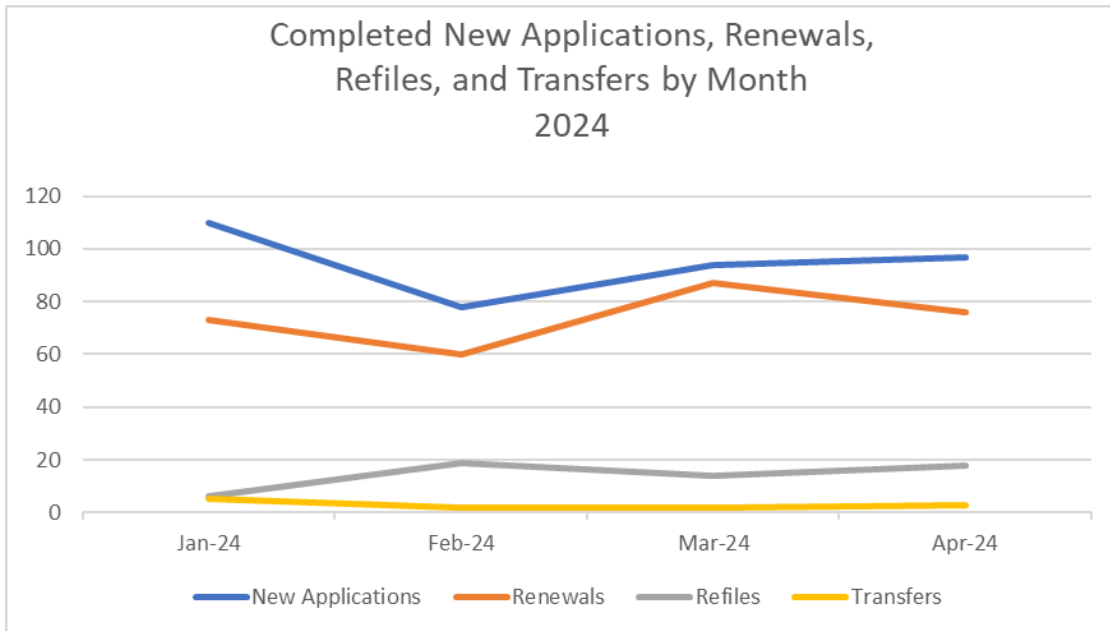


Figure 3. Suspensions and Revocations by Month

Suspensions and Revocations. Carriers can be suspended or revoked for various reasons such as failing to maintain active insurance or to file annual or quarterly PUCTRA statements. Carriers may also voluntarily suspend operations. Figure 3 shows both types of suspensions/revocations by month.

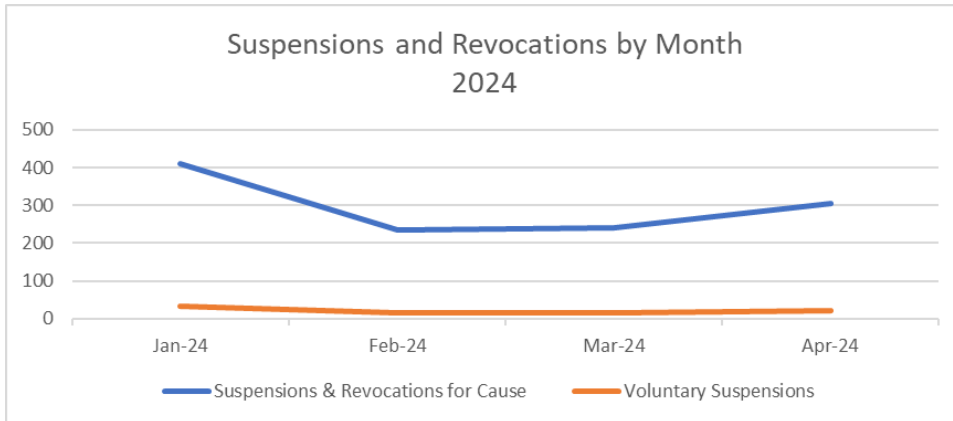
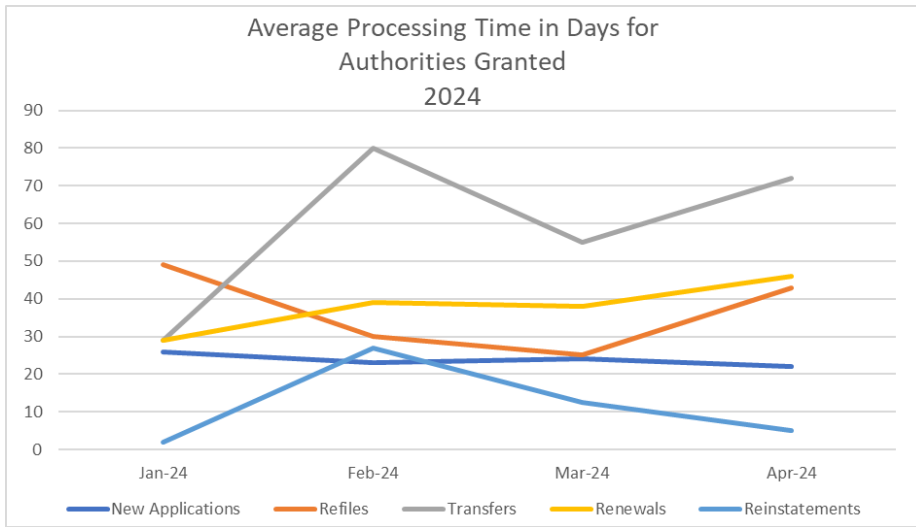


Figure 4. Average Processing Times

Average Processing Times. The total time to process an application, from initial receipt to issuance or denial of a permit or certificate, depends on internal processing time and on the time for external entities to provide necessary information. Upon receipt of applications, CPUC staff review them for completeness and issue deficiency notices to carriers for any outstanding items.

Examples of these items include evidence of insurance coverage filed by the carrier’s insurance provider; evidence of compliance with drug and alcohol testing requirements; and inspection by the California Highway Patrol for modified limousines and vehicles with a seating capacity of 11 or more. Figure 4 shows the average total processing time for the major categories of permits and certificates processed by TLAB.



Docket Activity

Current Policy Proceedings. The Transportation Analysis Section supports three current proceedings. R.12-12-011 develops regulations relating to transportation network companies and autonomous vehicles. R.19-02-012 implements Senate Bill 1376, incentivizing transportation network companies to provide on-demand service for persons with disabilities, including wheelchair users who need a wheelchair accessible vehicle. R.21-11-004 implements the California Clean Miles Standard and Incentive Program, enacted through Senate Bill 1014, requiring the California Air Resources Board and the Commission to jointly work to lower greenhouse gas emissions from transportation network companies.

1) [R.12-12-011](#) / TNC Rulemaking / Mason & Chiv / Baker

- a) **Order to Show Cause.** On December 1, the Joint Assigned Commissioners and Assigned Administrative Law Judges issued a ruling ordering Cruise to show cause why it should not be sanctioned by the Commission for failing to provide complete information and for making misleading public comments regarding a pedestrian collision on October 2, 2023 and its subsequent interactions with the Commission. In response to an email request from Cruise, the assigned ALJ extended Cruise’s deadline to provide a response by January 12, 2024. Cruise responded with a Motion for Settlement which was discussed at an ALJ hearing on February 6. Responses to this motion were filed by the City of San Francisco on February 29, which Cruise replied to on March 6. The matter is still pending.
- b) **Unaccompanied Minor Transportation** – Uber filed a motion on March 14 seeking clarification regarding whether and how CPUC rules pertain to their new service offering targeted at providing rides to unaccompanied teenagers. The rules in question concern whether a service “primarily” transports minors. HopSkipDrive, a company which has been determined to primarily transport minors, filed a response to Uber’s motion on March 29 stating that the CPUC should not use the

“primary” distinction and that enhanced background check requirements should apply to any company that transports minors. Uber filed a reply to HopSkipDrive’s response on April 8.

2) **[R.19-02-012](#) / TNC Access Rulemaking / Chiv / Baker**

a) No docket activity.

3) **[R.21-11-014](#) / Clean Miles Standard / Wang / Reynolds**

b) No docket activity.

Applications for Rehearing of Autonomous Vehicle Resolutions. On September 14, the City and County of San Francisco filed applications for rehearing of two resolutions authorizing Cruise and Waymo to expand driverless passenger service; A.23-09-015 (Waymo Resolution TL-19144) was denied on November 8 and A.23-09-014 (Cruise Resolution TL-19145) is still pending.

Carrier Application Proceedings. The Transportation Licensing Section assists the Commission in the regulation of Passenger Stage Corporations and Vessel Common Carriers. Passenger Stage Corporations (PSCs) are carriers that transport passengers between points on an individual fare basis. Examples are fixed-route bus services and “share-the-ride” airport shuttle services. Vessel Common Carriers (VCCs) are carriers that transport persons or property between points in the State. Examples are commute ferry services in the San Francisco Bay and services between California mainland points and Catalina Island. PSCs and VCCs are common carriers and must file requests with the Commission through a formal process. Both carrier types require a “certificate of public convenience and necessity” (CPCN) from the Commission for the authority to operate in California.

- **A.23-02-017** / Application of CATALINA CHANNEL EXPRESS, INC. (VCC-52), a California Corporation, to increase the baseline rates for its vessel common carrier service and to /retain its existing Zone of Rate Freedom. / **04/26/2024 Scoping Ruling issued.**
- **A.24-02-006** / Application of AMC Bus, Inc., dba Limousines, for authority to operate as a scheduled passenger stage corporation between points in the Counties of San Diego, Riverside, Orange, Los Angeles, San Bernardino, Kern, Tulare, Fresno, Madera, Merced, Stanislaus, San Joaquin, Sacramento, Santa Barbara, San Luis Obispo, Monterey, San Benito, and Santa Clara and to establish a Zone of Rate Freedom (ZORF) fare structure. / **04/02/2024 Motion filed for leave to file confidential information under seal.**

Joint Agency Collaboration/Outreach/Training

Joint Agency Collaboration. Information sharing and collaboration with other transportation agencies is a critical part of TLAB’s work.

- Bi-monthly TLAB Staff and CARB Staff coordination meeting on the Clean Miles Standard
- Monthly TLAB and Department of Motor Vehicles Autonomous Vehicles meeting

- Monthly TLAB Meeting w/ California Highway Patrol

Outreach and Education. TLAB provides outreach and education to potential and current carriers through presentations on application fundamentals at venues such as SFO and LAX, and attendance at functions sponsored by transportation-related organizations such as the Greater California Livery Association and the California Bus Association.

Training. TLAB managers and staff regularly attend all trainings required by the Commission, as well as trainings for developing work skills and industry-specific trainings. For example:

- New Employee Training
- Supervisory Development Training
- Cybersecurity Training
- Harassment Prevention and Diversity and Bias Awareness Training
- Leadership Training

TRANSPORTATION ENFORCEMENT BRANCH (TEB)

The Transportation Enforcement Branch (TEB) regulates Charter-Party Carriers of Passengers (TCP) (e.g., limousines, airport shuttles, chartered and scheduled bus operators, Transportation Network Companies (TNC) and vessels in California to safeguard the public by ensuring compliance with Commission General Orders (GO), Public Utilities (PU) Codes, and other applicable laws and regulations. TEB conducts our core safety assurance through compliance inspections, investigations, and enforcement activities. TEB promotes safety by conducting outreach activities for passenger carriers, training for law enforcement on applicable General Order regulations, and reviews all public complaints that it receives.

Consistent with the Commission’s Strategic Directives¹ and Enforcement Policy,² TEB developed and utilizes a Safety Management System that is implemented through the following pillars: Transportation Safety Assurance, Transportation Risk Management, and Transportation Safety Promotion.

Transportation Safety Management System

TEB reports the following progress for April 2024 for the following program elements.

Transportation Safety Assurance – Assuring the Commission’s regulated entities comply with the law and have sufficient training and resources to ensure the safety of the public, their workers, and the environment. For TEB, this includes Investigations, Field Operations, and related Enforcement Activities.

- Transportation Enforcement Field and Airport Operations:
 - » San Francisco Airport
 - » Palm Springs Airport
 - » Napa
 - » Cache Creek Casino
 - » Stagecoach (Indio)
 - » Morgan Hill
- Formal Enforcement Proceedings:
I.21-12-001/Uber Technologies, Inc., and Uber Black Sub-carriers/ALJ Lirag/Commissioner Baker. On December 2, 2021, the Commission opened an Order Instituting Investigation (OII) to determine

¹ [CPUCs Strategic Directives \(ca.gov\)](#)

² [CPUC Adopts Enforcement Policy to Promote Maximum Compliance, Transparency, and Public Safety](#)

whether passenger carriers violated any provisions of the Public Utilities Code or other applicable rules and regulations. The statutory deadline in this proceeding has been extended to September 30, 2024.

- » On December 11, 2023, the case was reassigned to ALJ Rafael L. Lirag.
- » On March 7, 2024, Commissioner Matthew Baker was reassigned to the OII.

- **Transportation Safety Complaint Referrals:**

Effective June 16, 2023, the Consumer Affairs Branch (CAB) is responsible for all transportation-related complaints. CAB now processes transportation complaints, maintains consumer complaint statistics, and refers complaints that require further investigation to TEB. For the month of April 2024, TEB received a total of 12 complaints from CAB and other sources:

Table 2. Transportation Safety Complaint Referrals

Complaints Referred By:	Received
CAB	5
Transportation Licensing and Analysis Branch (TLAB)	5
Safety Enforcement Division (SED) Whistleblower	1
Fiscal Audits	1

Transportation Risk Management – Continually identifying, assessing, and reducing operational risks through mitigation measures faced or posed by the entities the CPUC regulates. Continued monitoring of information, including but not limited to data obtained from field enforcement operations for emerging trends and any associated risks above the risk tolerance level.

Transportation Safety Promotion – Supporting efforts to assure that the public and regulated transportation entities can make informed choices and know how to respond to unsafe situations. For TEB, this includes Training and Education, Outreach Efforts with Industry and Law Enforcement, and Commission Engagement.

- Sonoma County Airport (STS) Quarterly Meeting on April 17, 2024.
- Wildcatter Meeting with San Diego Police Department, District Attorney’s Office, and Metro Transit System on April 9, 2024.

Table 3. TEB Enforcement Activities³

12 Month Enforcement Activity	Jan 2024	Feb 2024	Mar 2024	April 2024	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Total
Beginning Investigations Balance	98	91	128	133									N/A
(+) New Investigations	15	41	17	16									89
(-) Closed Investigations	22	4	12	24									62
Ending Investigations Balance	91	128	133	125									N/A
Investigations Open Longer than 6 Months	11	14	13	8									N/A
% Of investigations Open Longer than 6 Months	12%	11%	10%	6%									N/A
Cease and Desist Notices	5	12	13	19									49
Warning Letters	3	8	6	10									27
Citations	9	2	6	4									21
Vehicle Impounds	5	0	0	1									6

³ Effective January 2024, TEB will submit data based on the calendar year.

Table 4. TEB Fines Assessed from Investigations

Date	Citations/Fines
January 2024 – March 2024	\$173,000
April 2024	\$27,000
Cumulative 2024	\$200,000

Table 5. Citation Appeal Proceedings

Docket No.	Entity	Status
K.22-11-012	Edwin Torres, North Hollywood, unlicensed (PSG-5685)	Citation T.22-10-001 served October 24, 2022. Appeal Filed November 10, 2022. On February 7, 2023, CPED attended an ADR/Mediation, but CPED subsequently decided to withdraw from any further mediation sessions (we are waiting for an appeal hearing date to be scheduled). ALJ: Andrew Dugowson (Assigned on February 21, 2024). On April 23, 2024, proposed dates for a status conference from ALJ Dugowson was received.
K.23-04-007	Lkhavasuren Dulmaa, Moraga, unlicensed. (PSG 5804)	Citation T.23-02-002 for \$2,000 served on February 16, 2023. Appealed on April 12, 2023. ALJ Sumner Matthews assigned case on April 18, 2023. On October 11, 2023, ALJ Matthews will send both parties motion to jointly withdraw citation. Awaiting document from ALJ Matthews. No update for April 2024.
K.23-12-007	Sierra Bravo Enterprises LLC dba Jump on The School Bus, Gavito (TCP 28446) PSG-5884	Citation Number T.23-10-003 issued on October 20, 2023, and received October 24, 2023, in the amount of \$4,000. Appeal filed by carrier on December 01, 2023. Agreed to settlement; \$4,000 fine reduced to \$3,000. Parties to file the joint motion to dismiss the appeal of citation by March 22, 2024. Pending ruling from ALJ.
K.23-12-016	Thorne Transportation Services (PSG-5955)	Citation T.23-11-001 served November 1, 2023. Filed December 22, 2023. PHC was on April 26, 2024. Pending ruling from ALJ.

Table 6. TEB Field and Airport Operations – Total Vehicles Observed⁴

Month	Transportation Charter-Party (TCP)	Transportation Network Companies (TNC)	Passenger Stage Corporations (PSC)
January 2024	33	51	0
February 2024	22	7	1
March 2024	63	3	0
April 2024	93	90	0

Table 7. Joint Operations with Law Enforcement Agencies

Agency	Operation
San Francisco Police Department (SFPD) Airport Bureau	San Francisco Airport TCP/TNC Passenger Carrier Joint Operation
District Attorney’s Office	Napa TCP/PSC Passenger Carrier Joint Operation
California Highway Patrol	Cache Creek Casino TCP/PSC Passenger Carrier Joint Operation
California Highway Patrol	Stagecoach (Indio) TCP Passenger Carrier Joint Operation

⁴ Effective January 2024, TEB will submit data based on the calendar year.

UTILITIES ENFORCEMENT BRANCH (UEB)

UEB protects California utility consumers from fraud and abuse by developing enforcement mechanisms and ensuring service providers comply with consumer protection laws and regulations. UEB investigates alleged violations by utilities, including communications (both wireline and wireless), energy (both electric and gas), and water companies. When sufficient evidence of violation is uncovered, UEB brings cases before the Commission to seek appropriate penalties and remedies for consumers.

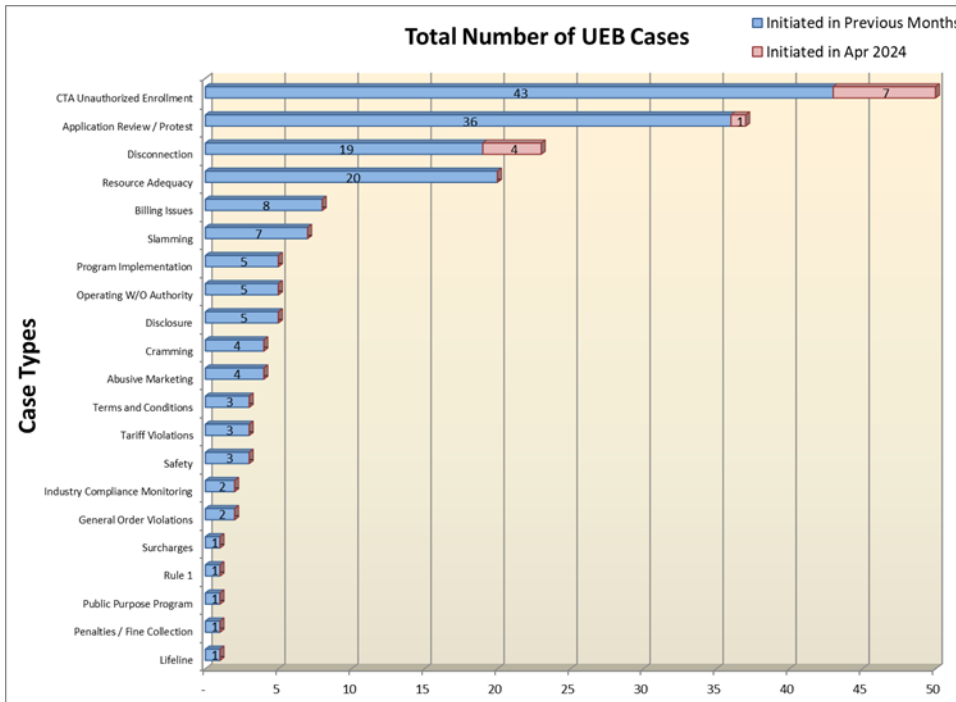
Monthly Highlights

- Desert Community Energy (DCE) RA Citation Appeal (K.23-05-017):** On April 9, 2024, the Commission issued draft Resolution ALJ-459, denying DCE’s appeal. Draft Resolution ALJ-459 concluded that DCE has not met its burden of rebutting CPED’s determination that the violation occurred, and failed to meet its burden of persuasion that the citation penalty should be reduced or excused. In addition, the draft resolution found that the citation and penalty amount were appropriately issued. On April 12, 2024, DCE filed a motion for extension of time to provide public comments on the draft resolution citing a separate ongoing RA proceeding (R.23-10-011) that may address an issue related to the extended cure period for year-ahead deficiencies. On April 17, 2024, ALJ Chiv issued a ruling denying DCE’s motion for extension of time to provide public comments, arguing that the citation was based on the RA compliance rules and penalty structure in effect at the time of the deficiency. On April 29, 2024, DCE filed comments arguing that the draft resolution contains factual errors and reaches conclusions unsupported by the evidence.
- Foothill Education Technology Partnership (FETP) Administrative Enforcement Order (AEO) (H.24-02-005):** On April 16, 2024, ALJ Gerald Kelly scheduled hearings for August 27, 28 and 29, 2024 to be conducted in person. Additionally, due July 29, 2024, FETP and CPED are directed to file an Exhibit List, a Witness List, and a Joint Response addressing any facts in dispute.
- Orange County Power Authority (OCPA) RA Citation Appeal (K.22-05-017):** On April 22, 2024, at CPED’s request, the Commission issued Resolution ALJ-461, correcting a typographical error on the fine amount from \$1,942,845.20 to \$1,962,845.20 in Resolution ALJ-454.

Key Activities

UEB is working on a total of 186 cases. Investigations center primarily on CTA Unauthorized Enrollment, Application Review/Protest and Disconnection. UEB’s cases come from a variety of sources, with Inter-Division referrals and UEB’s own scanning activities playing key roles.

Figure 5. UEB Total Number of Cases by Type as of April 30, 2024



Citations/Fines/Reparation

In the month of April 2024, UEB issued the following citations:

- Core Transport Agent (CTA) citation in the amount of \$1,000
- Disconnection Citation UEB-006 SCE 0438-0651 in the amount of \$214,000
- Six RA citations in the amount of \$1,562,518

Cumulative 2024 fines, reparations and penalties imposed are shown below.

Table 8. UEB Fines, Reparations, and Penalties

Date	Citations/Fines/Reparation
January to March 2024	\$4,586,838
April 2024	\$1,777,518
Cumulative 2024	\$6,364,356

- Resource Adequacy (RA) Citation Program:** UEB issues citations and levies fines to enforce Load Serving Entities’ (LSE) compliance with system, local, and flexible resource adequacy requirements pursuant to Resolution E-4195, as modified by Decisions 10-06-036, Decisions 10-06-038, 11-06-022, 14-06-050, 19-06-026, 20-06-031, 21-06-029, 22-06-050 and 23-06-029. In April 2024, UEB issued six RA citations totaling \$1,562,518.
- Disconnection Citation Program:** UEB issues citations to enforce compliance with the disconnections-related consumer protection rules in D.20-06-003. This citation program is applicable to Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas), collectively referred to as California’s large investor-owned utilities (IOUs). On April 12, 2024, UEB issued Disconnection Citation UEB-006 SCE 438-651 in the amount \$214,000 against SCE for disconnecting its residential customers during extreme weather conditions.
- Core Transport Agent (CTA):** UEB reviews CTA-related complaints received by the Commission to enforce compliance with the standards for verification of change in provider requirements in D. 18-02-002, and to identify acts constituting grounds for suspension or revocation of registration pursuant to Pub. Util. Code Section 983.5.

In April, UEB reviewed 166 CTA-related complaints received by the Consumer Affairs Branch (CAB) in March 2024 and identified 37 needing investigation for potential unauthorized enrollment. Staff issued 7 data requests for proof of enrollment authorizations. UEB received proof of enrollment authorizations for 31 customers; 3 customers did not have sufficient information in the CIMS database to further investigate and 3 customers did not respond to staff’s request for more information. Currently, staff is contacting customers to confirm the legitimacy of proof of authorization and awaiting signed declarations. Therefore, staff’s investigation is ongoing.

On April 18, 2024, UEB issued Vista Energy Marketing, L.P Citation No. UEB-003-0190. Vista's response is due by May 20, 2024. Details of this citation can be found in the table below.

On April 26, 2024, UEB issued two Warning Notices to United Energy Trading, LLC and Ambit California, LLC. The notices direct the CTAs to retain records of the confirmation of a change in for provider of its customers so long as the customer’s enrollment remains active. The Warning Notice also stated that the records provided as proof of authorization must meet all the requirements in Resolution UEB-003.

Table 9. UEB CTA-Related Complaints

Month Received	CTA-Related Complaints		Data Requests Issued	Proof of Authorization Obtained	Citations Issued	Cease and Desist Letters Issued
	Total Reviewed	Unauthorized Enrollment				
April	166	37	7	31	1	2

Table 10. UEB CTA Citations

Citation #	Date Issued	Company	Citation Amount	Date Due	Status
UEB-003-0190	4/18/2024	Vista Energy Marketing, L.P.	\$1,000	5/20/2024	Pending
		TOTAL	\$1,000		

Compliance with Ordering Paragraphs

There were no new Ordering Paragraphs added to UEB’s COPS tracker for the month of April. UEB was responsible for 41 separate Ordering Paragraphs. As of April 2024, 41 of the Ordering Paragraphs (representing 100%) have been complied with, thus none are out of compliance.

Ordering Paragraphs related to UEB’s work are attributable to the imposition of fines, adoption of settlements, ordering of consumer refunds or reparation and other remedies and corrective actions, including reporting requirements, resulting from UEB’s investigations of violations of law and wrongdoing against consumers.

The numbers reported above tracks compliance with ordering paragraphs assigned to UEB and do not include tracking for compliance with payment of fines, penalties, surcharges, or the like, which are assigned to Fiscal Office under the COPs system. However, UEB staff also tracks such payments separately in our case management system and informs fiscal of any identified issues.

UEB-Related Proceedings

Table 11. UEB-Related Proceedings

Proceeding	Description	ALJ	Commissioner
R.18-07-005	Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs.	Kelly	Houck
K.19-03-024	Appeal of San Jose Clean Energy to Citation E-4195- 0052 issued on February 27, 2019 by the Consumer Protection and Enforcement Division.	Kim	N/A

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K.21-11-018	Appeal of Shell Energy North America to citation E-4195-113 issued on October 21, 2021 by Consumer Protection & Enforcement Division.	Cai	N/A
K.22-05-017	Appeal of Orange County Power Authority to citation E-4195-116 issued on April 20, 2022 by Consumer Protection & Enforcement Division.	Petersen	N/A
K.23-05-017	Appeal of Desert Community to citation E-4195-133 issued on April 17, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
I.22-04-005	Order Instituting Investigation on the Commission’s Own Motion into MetroPCS California LLC Failure to Remit Prepaid Mobile Telephony Service Surcharges and User Fees	Mason	Houck
I.22-10-007	Order Instituting Investigation into the Operations and Practices of TC Telephone and Order to Show Cause to Determine Whether Respondents Violated the Laws, Rules, and Regulations Governing the California Universal LifeLine Program	Mason	Baker
A.22-11-011	Application of Kloud Communications, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Wilson	Shiroma
K.23-11-015	Appeal of Silicon Valley Clean Energy to citation E-4195-143 issued on October 27, 2023 by Consumer Protection & Enforcement Division.	Goldberg	N/A
K.24-01-013	Appeal of Desert Community Energy to citation E-4195-156 issued on December 20, 2023 by Consumer Protection & Enforcement Division.	Kelly	N/A
K.24-02-001	Appeal of Desert Community Energy to citation E-4195-157 issued on January 3, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
H.24-02-005	Request of FETP For Hearing on AEO for Violation of California Teleconnect Fund Program Rules.	Kelly	N/A

Outreach/Training/Other Activities

SNAP Summary: On April 25, 2024, the Federal Communications Commission (FCC) discussed rule changes to pole attachments. Attaching telecommunications equipment to existing poles has been flagged as causing unnecessary delays in the deployment of broadband. To resolve these issues, the FCC issued a Notice of Proposed Rulemaking establishing a new process for the FCC's review and assessment of pole attachment disputes that impede or delay broadband deployment. The process is meant to expedite resolution of such disputes. The FCC will also be providing communications providers with information about the status of the utility poles they plan to use as they map out their broadband builds.