



Monthly Activity Report

**Consumer Protection and Enforcement
Division | California Public Utilities
Commission | February 2018**

TABLE OF CONTENTS

TABLE OF CONTENTS.....	1
OVERVIEW	2
CONSUMER AFFAIRS BRANCH	2
<i>Monthly Highlights.....</i>	<i>2</i>
<i>Key Activities</i>	<i>2</i>
<i>Citations/Fines/Refunds</i>	<i>3</i>
<i>Compliance with Ordering Paragraphs</i>	<i>4</i>
<i>Docket Activity</i>	<i>5</i>
<i>Outreach/Training/Other Activities</i>	<i>5</i>
<i>Legislation of Interest.....</i>	<i>6</i>
TRANSPORTATION ENFORCEMENT BRANCH.....	6
<i>Monthly Highlights.....</i>	<i>6</i>
<i>Key Activities</i>	<i>6</i>
<i>Citations/Fines/Refunds</i>	<i>8</i>
<i>Compliance with Ordering Paragraphs</i>	<i>10</i>
<i>Docket Activity</i>	<i>10</i>
<i>Outreach/Training/Other Activities</i>	<i>12</i>
<i>Legislation of Interest.....</i>	<i>12</i>
UTILITIES ENFORCEMENT BRANCH	12
<i>Monthly Highlights.....</i>	<i>13</i>
<i>Key Activities</i>	<i>13</i>
<i>Citations/Fines/Refunds</i>	<i>14</i>
<i>Compliance with Ordering Paragraphs</i>	<i>14</i>
<i>Docket Activity</i>	<i>15</i>
<i>Outreach/Training/Other Activities</i>	<i>16</i>
<i>Legislation of Interest.....</i>	<i>16</i>

OVERVIEW

The Consumer Protection and Enforcement Division (CPED) serves as the first line of defense for California utility customers. CPED collects and resolves consumer complaints, establishes and enforces rules and regulations for transportation carriers, and investigates allegations of utility waste, fraud, and abuse. CPED is comprised of three separate branches: the Consumer Affairs Branch (CAB), the Transportation Enforcement Branch (TEB), and the Utilities Enforcement Branch (UEB).

This report contains information reflecting the month's activity within each of the three CPED branches. Information about each Branch is collected in seven different sections: (1) Monthly Highlights, (2) Key Activities, (3) Citations/Fines/Refunds, (4) Compliance with Ordering Paragraphs, (5) Docket Activity, (6) Outreach/Training/Other Activities, and (7) Legislation of Interest.

CONSUMER AFFAIRS BRANCH

CAB provides assistance to consumers over the phone and in writing by answering questions and addressing informal complaints regarding CPUC-regulated communications, energy, and water utilities. CAB also acts as a conduit of consumer information for CPUC decision-makers.

MONTHLY HIGHLIGHTS

- **Continued the Development Phase of Upgrade to CAB's Database:** CAB subject matter experts and the CPUC's Application Programming Unit continued work on upgrading the Consumer Information Management System (CIMS database). Upgrades were made to data entry screens for quality assurance processes. The upgrade will allow CAB to comply with recommendations from the California State Auditor for improving quality assurance processes and data quality.

KEY ACTIVITIES

In February, CAB provided assistance to consumers that contacted us seeking assistance via our statewide 800 number. Through the 800 number, consumers accessed CAB's consumer assistance information line menus 13,859 times and opted to speak to a live representative 4,051 times. Live consumer calls regularly result in referral to the utilities' high-level internal consumer assistance groups for expedited resolution of consumer-identified issues. Live calls may also result in providing

answers to consumer questions or providing them with referral information on utilities, service providers, and other entities that are not regulated by the CPUC.

In addition to assisting consumers with complaints, questions and information referrals via telephone, CAB received 911 contacts from consumers that were seeking assistance, via U.S. mail, fax, or online complaint form. At the end of February, CAB had closed 872 written contacts and was in process of addressing an additional 1,108 written contacts.

CAB Activity for February 2018	
Data for Telephone Contacts	
Calls to Assistance Line	13,859
Live Calls Answered	4,051
Data for Written Contacts Processed¹	
New Written Contacts Received	911
Written Contacts Closed	872
Written Contacts Being Processed ²	1,108

CAB also responds to requests from internal and external entities for consumer contact data. In February, CAB responded to 5 data requests: one request for all robo call complaints for the calendar year 2017, one request for all billing and service complaints lodged against a Communications company for a specified period of time, two requests seeking the number of Lifeline complaints regarding the Identification Verification process for Lifeline enrollment, there was a second request in February from a Commissioner for additional data related to a gas company’s customer reconnection times following disconnection for non-payment, to supplement the information provided in January.

CITATIONS/FINES/REFUNDS

CAB helped California consumers secure \$39,453.04 worth of refunds and credits in February 2018.

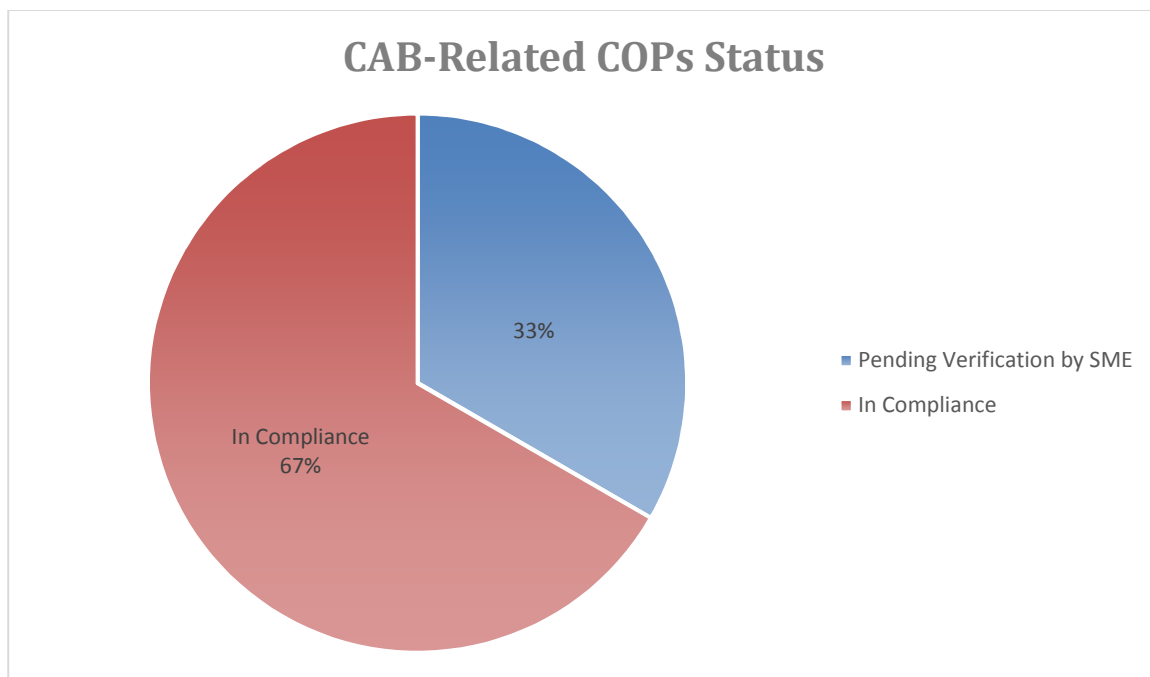
¹ Written contacts closed may differ from the number of written contacts received in a month since cases received in previous months may be resolved in the current month.

² Depending on the timing of when written contacts were received and the complexity of the issue, written contacts may not be resolved during the month in which they were received. These contacts are in process and are under review by CAB and the utility service provider.

Date	Refund/Credit Amount ³
February 2018	\$39,453.04
Cumulative 2018	\$302,803.32

CAB does not issue citations or fines, but instead may negotiate refunds through its informal complaint resolution process. Most refunds secured by CAB are the result of incorrect billing of a utility consumer or from discretionary refunds provided by the utility.

COMPLIANCE WITH ORDERING PARAGRAPHS



There was one new CAB-related Ordering Paragraph (OP) enacted in February, from D.18-02-010. In total, CAB was responsible for three OPs.

³ Refund amounts may be underreported in cases where a utility does not share refund information in its response to CAB. This may occur in cases where Voice over Internet Protocol (VoIP) telephone service is involved. VoIP services are governed under Public Utilities Code Section 710. Also, CAB does not currently have a process that enables follow-up on consumer phone contacts that are transferred to the company for expedited resolution. Thus, the refund amount reflected may be underreported since the company may resolve the consumer's issue after the transfer is made, including the offering of a refund.

All of these CAB-related OPs require that regulated utilities, that have been granted authority to operate by the CPUC, provide CAB with contact information needed in processing informal complaints; these OPs are categorized as “Pending Verification by Subject Matter Expert.”

CAB proactively contacts the utilities in an attempt to gather the information and inform the utility of CAB’s role. Once the utilities comply, the information will be entered into the CPUC’s Utility Contact System (UCS) database that houses contact information for utilities authorized to provide service in California. In addition, the OP’s status is updated in the COPs data as “In Compliance”. In February, two utilities complied.

DOCKET ACTIVITY

CAB monitored four open proceedings in February that have consumer impacts. These items appeared on the CPUC’s February Voting Agendas and decisions/resolutions were reached on three of them. Specifically: D.18-02-002 regarding consumer protections for Core Transport Agents; D.18-02-006 Order Instituting Rulemaking Regarding Revisions to the California Universal Telephone Service (Lifeline) Program and D.18-02-010 Application of City Communications, Inc. for registration as an Interexchange Carrier Telephone Corporation.

One item, the Application of SIGCA Holdings, LLC for a Certificate of Public Convenience and Necessity (CPCN)⁴ is expected to be taken up for vote in March 2018.

CAB monitors all CPUC non-transportation CPCN proceedings due to the requirement for CAB to maintain contact information for all certificated non-transportation companies in its database.

OUTREACH/TRAINING/OTHER ACTIVITIES

CAB met with the CPUC’s Energy Division to develop a process for consumer complaints regarding Demand Response Providers.

⁴ A Certificate of Public Convenience and Necessity (CPCN) is required to lawfully operate a utility company in California and is granted by the CPUC.

Newly-hired staff in the Sacramento and Los Angeles offices of CAB was provided in-house training for processing and resolving consumer contacts and informal consumer complaints.

CAB continued to participate in a CPUC interdivisional group that is reviewing utility practices for restoral of service to customers that have been previously disconnected.

LEGISLATION OF INTEREST

There was no new Legislation of impact to CAB to be reviewed in the month of February.

TRANSPORTATION ENFORCEMENT BRANCH

TEB oversees for-hire passenger carriers (limousines, airport shuttles, chartered and scheduled bus operators, and transportation network companies) and moving companies. To that end, TEB analyzes applications from carriers, writes proposed decisions to approve or deny a carrier's CPCN application, issues permits and tracks carrier compliance with permit requirements. TEB also serves a role analogous to that of an "industry division," acts as the CPUC's subject matter expert and advises decision makers regarding for-hire carriers. And finally, TEB staffs a consumer complaint 800 phone line; educates consumers, carriers and state and local law enforcement and prosecutors; investigates alleged violations; issues citations; brings cases before the Commission and supports civil and criminal cases brought by local prosecutors, such as a district or city attorney.

MONTHLY HIGHLIGHTS

- **Napa Enforcement Efforts:** January training with City and County officials was followed up with successful enforcement operations in February that resulted in multiple vehicle impoundments.

KEY ACTIVITIES

Carrier Application and Permit Activity

In February 2018, TEB staff received 218 applications this month (new, renewals, refiles, transfers), and issued 230 permits. TEB completed but cannot approve 396 additional applications until the CHP completes bus terminal inspections (CHP requires 60 days) and/or the carrier provides proof of insurance or enrollment in a drug testing program (up to 7 days). One new TNC application is under review.

Activity	Passenger Carrier	Household Goods	Total
New Applications Docketed	40	9	49
Renewal Applications Docketed	145	0	145
Refile Applications Docketed	17	4	21
Transfer Applications Docketed	2	1	3
Authorities Issued	219	11	230
Authorities Suspended	307	45	352
Authorities Revoked	87	32	119
Authorities Reinstated (Suspended/Revoked)	228	58	286
New Applications waiting for CHP inspection or carrier action (drug test results, insurance).	142	79	221
Renewal Applications waiting CHP inspection or carrier action (drug test results, insurance, or other renewal documents).	175	0	175
Pending Reinstatement from Suspension and Revocation	23	1	24
Total Active/Suspended Authorities as of 2/28/2018	7371	1031	8402
Number of Voluntary Suspensions	36		36
Number of Voluntary Revocations	22		22
Number of vehicles added to Passenger Carrier Equipment Statements	358		358
Address and DBA Changes	72		72
Vehicle inspection requests sent to CHP	287		287
Returned Applications (incomplete package)	15		15

Enforcement Activities

TEB is working on a total of 141 cases. Investigations center on illegal carriers and violations of the Public Utilities Code, General Orders, and/or Commission decisions. TEB's cases come from a variety of sources, such as complaints from carriers or consumers, and those opened on TEB's own initiative. Cases submitted to local district attorneys' offices are in various stages of prosecution in Los Angeles, Orange, Riverside and San Diego counties.

In February 2018, TEB closed 29 cases and initiated 26 new cases.

Enforcement Activity	Household Goods	Passenger Carriers	Total
Open Cases as of 2/1/18	42	102	144
New Investigation Initiated	4	22	26
Investigations Completed	12	17	29
Cases Open as of 2/28/18	34	107	141
Cease and Desist Notices	2	12	14
Official Notices	1	5	6
Administrative Citations	0	5	5

CITATIONS/FINES/REFUNDS

TEB Activity	Moving Companies	Passenger Carriers	Total
Fine Assessed	\$0	\$14,000	\$14,000
Fines Paid	\$250	\$10,102.35	\$10,352.35
Overcharge Refunds/Claims Settlements by CIU Rep	\$1,253	\$357.53	\$1,610.53

- **F-5397. A.A. ECT LLC dba Exotic Charter Transportation, Anaheim (TCP 28502).** Case: PSG-4467. Fine: \$1,000. Violation: Failed to provide access to records. Carrier agreed to pay fine.
- **F-5410. Abdeslam Zekraoui dba Davis Auto Hire, San Pedro (TCP 25894).** Case: PSG-4466. Fine: \$2,000. Violations: Operated as a charter-party carrier after voluntary suspension of its operating authority; lacked evidence of Public Liability and Property Damage (PL&PD) insurance coverage; failed to enroll employee-drivers in the Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) program; and failed to accurately report Public Utilities

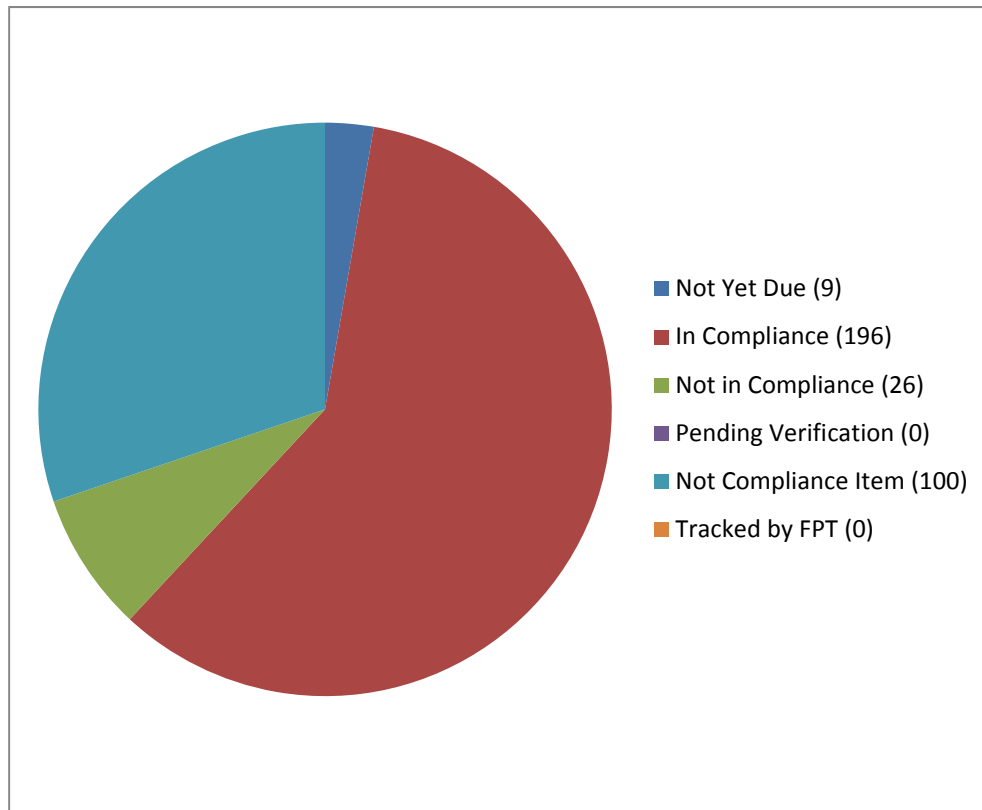
Commission Transportation Rate Account (PUCTRA) fees. Carrier agreed to pay fine.

- **F-5411. 2 Pioneers Transportation of Napa Inc., Fairfield (TCP 36196).** Case: PSG-4428. Fine: \$3,000. Violations: Lacked Workers' Compensation insurance; failed to enroll drivers in the DMV EPN program and a controlled substance and alcohol testing program; engaged at least one driver who lacked the proper California driver's license endorsement; under-reported gross revenue and underpaid the PUCTRA fees; failed to update equipment list statement; failed to include the required information on waybills. Carrier may file a Citation Appeal within 20 days.
- **F-5415. Justin Harmon dba Fetch Transportation, San Luis Obispo (TCP 28347).** Case: PSG-4568. Fine: \$4,000. Violations: Operated as a charter-party carrier after suspension of its operating authority; operated without evidence of PL&PD insurance coverage in effect and on file with the Commission; failed to issue and maintain waybills. Carrier agreed to pay fine.
- **F-5416. WL La Mesa Property LLC, La Mesa (TCP 36594).** Case: PSG-5460. Fine: \$4,000. Violation: Operated as a charter-party carrier after denial of operating authority. Carrier agreed to pay fine.

Airport Citation Program

Airport	Citations issued by LAX police	Vehicles impounded	Citations issued by PUC	C&D letters issued	Total fines collected
LAX (Los Angeles International Airport)	10 (unlicensed)	9	2	13	\$2,000

COMPLIANCE WITH ORDERING PARAGRAPHS



TEB is currently responsible for 331 separate Ordering Paragraphs. Most Ordering Paragraphs result from decisions to approve CPCNs for passenger stage corporations, and include permit requirements such as obtaining appropriate insurances, enrolling in drug testing and DMV pull-notice programs, receiving bus terminal inspections by the CHP and others. Other OPs uphold TEB citations and impose fines that result from those citations for violations of law and wrongdoing against consumers, or introduce new reporting requirements on carriers.

DOCKET ACTIVITY

Policy Proceedings

- **R.12-12-011 / TNC Rulemaking / Mason/Colbert / Randolph.** ALJ Colbert is co-assigned to the Rulemaking.

Carrier Application Proceedings

- **A.17-04-012 / Proper Sightseeing Corporation / Yacknin.** Seeks authority to operate as a scheduled Passenger Stage Corporation with Hop On/Hop Off

Service on fixed routes between points in Hollywood and Santa Monica, and to establish a Zone of Rate Freedom. No February activity.

- **A.17-10-015 / Mecca Tours / Zanjani.** Seeks authority to transport passengers and baggage express on an on-call, city to city basis, between points in the cities/communities of Calexico, Mecca, Thermal, Coachella, Indio, San Bernardino, Colton, Riverside, Fontana, El Monte, Los Angeles (LA) and East-LA. On February 27, 2018, Decision (D.) 18-02-023 granted authority.
- **A.17-11-004 / Gholamreza Askari dba R Transportation / Zanjani.** Seeks authority to operate as a Passenger Stage Corporation on-call, door-to-door, service between the City of Escondido, Marine Corps Base Camp Pendleton, and the City of Oceanside and points in the Counties of San Diego, Los Angeles, Orange and Riverside. No February activity.
- **A.17-12-017 / Hildago Transportation / Zanjani.** Seeks authority to transport passenger and baggage express, on an on-call, county-to-county fare basis, between the counties of San Diego, Orange, Los Angeles, San Bernardino, Riverside, Kern, Monterey, Tulare, Fresno, Santa Clara, San Mateo, San Francisco, Alameda and Sacramento. No February activity.
- **A.17-12-018 / Catalina Clipper / Colbert.** Seeks authority to operate as a scheduled Vessel Common Carrier between Newport Beach and Avalon. Pre-hearing Conference held on February 27, 2018.
- **A.18-01-011 / Chrystelle Cruisers Wine Tours / Zanjani.** No February activity.
- **Resolution TL-19128/Saeed O. Ibraheim.** On February 20, 2018, TEB issued a draft Resolution for comment to revoke carrier's CPCN for failure to submit compliance filings. The draft resolution is scheduled for a Commission vote on March 22, 2018.

OUTREACH/TRAINING/OTHER ACTIVITIES

Joint Agencies Work

Napa County Interagency Operations, Napa, February 2, 2018 – Northern California staff worked with the Napa Valley Railroad Police and Napa County Sheriff's Department to investigate complaints of unlicensed providers of passenger transportation. The joint team 1) found two carriers operating without permits and impounded their respective vehicles; 2) issued a citation to a driver who lacked the proper commercial driver's license; and 3) cited a carrier operating without worker's compensation insurance.

Outreach to Regulatory/Enforcement agencies

California Bus Association Meeting, Burlingame, February 6, 2018 – Northern California TEB Staff attended the CBA's 24th Annual Maintenance Seminar focusing on bus safety. Representatives from the CHP's Golden Gate Division Commercial Operations and Motor Carrier Safety units presented on the vehicle safety inspections they perform, including terminal inspections.

LEGISLATION OF INTEREST

TEB is currently tracking three legislative items of interest. All three bills were added to TEB's tracking list in February 2018.

SB 1014 (Skinner): Requires the Commission to implement annual TNC greenhouse gas (GHG) reduction targets set by the California Air Resources Board, per passenger mile driven by TNC drivers.

SB 1080 (Newman): Requires TNCs to accept an out of state driver license from a nonresident active duty military member or dependent, if driver otherwise meets a TNC's driver requirements.

SB 1376 (Hill): States the intent of the Legislature that TNCs ensure full and equal access to disabled passengers.

UTILITIES ENFORCEMENT BRANCH

UEB protects California utility consumers from fraud and abuse by ensuring that 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 CPUC to seek appropriate remedies for consumers and/or penalties.

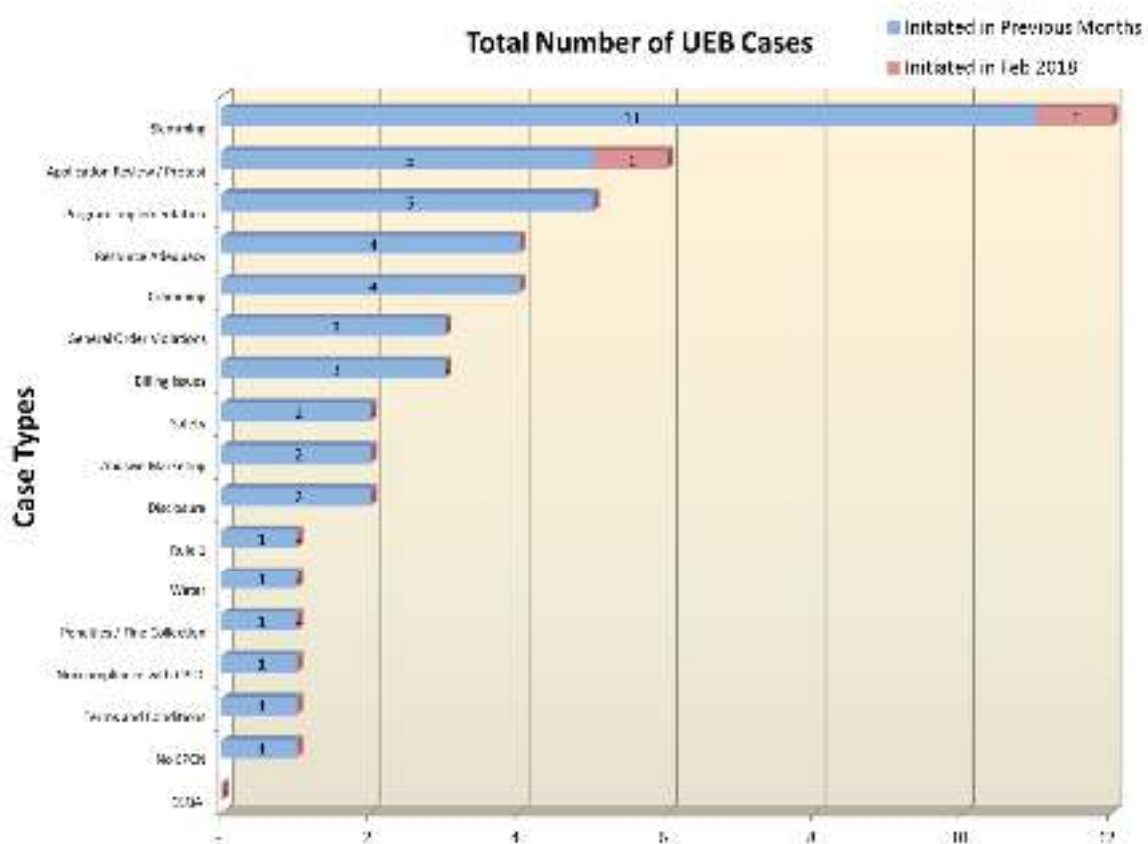
MONTHLY HIGHLIGHTS

- **Mass Third-Party Verification (TPV) Slamming Citation:** Pursuant to the appeal by Quasar of the Slamming Citation issued for the amount of \$411,000, the ALJ convened a pre-evidentiary hearing status conference on February 22, 2018. He rescheduled the Appeal Hearing for March 20, 2018.
- **SoCalGas (I.17-04-021) (Commissioner Rechtschaffen/ALJ Ayode) (Advocacy):** Following a Meet and Confer, CPED, SoCalGas and TURN filed a joint response submitting a briefing schedule as directed in the ALJ’s ruling.

KEY ACTIVITIES

UEB is currently working on a total of 49 cases. Investigations center primarily on Slamming and Application Reviews. UEB’s cases come from a variety of sources, with CPCN application reviews and UEB’s scanning activities playing key roles.

Cases by Type as of February 28, 2018

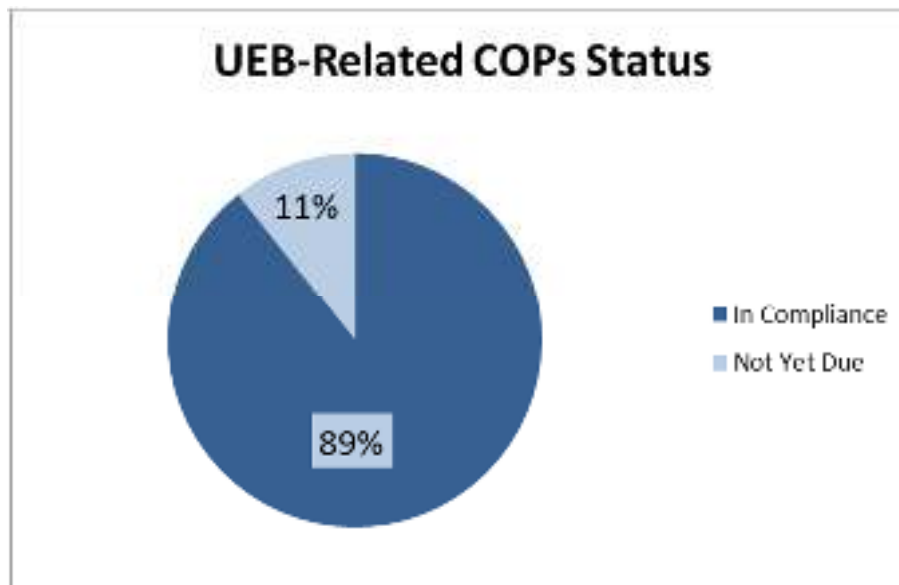


CITATIONS/FINES/REFUNDS

UEB did not issue any fines or citations for the month of February. Cumulative 2018 fines and penalties imposed are shown below.

Date	Citations/Fines/ Reparation Amounts
February 2018	\$0
Cumulative 2018	\$0

COMPLIANCE WITH ORDERING PARAGRAPHS



No new Ordering Paragraphs were added to UEB's COPS tracker for the month of February. UEB is currently responsible for 28 separate Ordering Paragraphs. Of those 28 Ordering Paragraphs, 25 (representing 89%) have been complied with, and compliance with the remaining 3 are not yet due. 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.

DOCKET ACTIVITY

Docket No.	Title	ALJ	Commissioner
A.14-01-029	In the Matter of the Application of ILATANET, LLC for Authorization to obtain a Certificate of Public Convenience and Necessity as a Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1001.	Burcham	Picker
A.14-05-002	Application of Silicon Business System for a Certificate of Public Convenience and Necessity to operate as a Provider of Limited Facilities-Based and Resold Telecommunication services in the State of California.	Burcham	Peterman
A.15-12-014	In the Matter of the Application of Global Calling Corporation for Authorization to Obtain a Certificate of Public Convenience and Necessity as a Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1001.	Ayoade	Peterman
A.16-01-008	In the Matter of the Application of Granite Telecommunications, LLC (U6842C) to Expand its Certificate of Public Convenience and Necessity to Include Additional Service Territories.	Ayoade	Randolph
A.16-04-006	Application of CereTel Incorporated for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Park	Peterman
A.16-10-011	Application of Veritas Prepaid Phone Co., LLC for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.	Colbert	Randolph
I.11-05-028	Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of OSP Communications LLC and John Vogel, an individual, to determine whether OSP Communications LLC and John Vogel have violated the Laws, Rules and Regulations of this State in the Provision of Operator and Calling Card Services to California Consumers; and Whether The Billing Resource LLC, a Delaware Corporation, and The Billing Resource LLC d/b/a Integretel, a California Corporation should Refund and Disgorge All monies billed and collected on behalf of OSP Communications LLC.	Bemesderfer	Sandoval
I.13-10-003	Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Comcast Phone of California, LLC (U-5698-C) and its Related Entities (Collectively "Comcast") to Determine Whether Comcast Violated the Laws, Rules, and Regulations of this State in the Unauthorized Disclosure and Publication of Comcast Subscribers' Unlisted Names, Telephone Numbers, and Addresses.	Burcham	Peterman
I.15-06-018	Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Mesa-Crest Water	Colbert	Sandoval

	Company (U333W) with Respect to a Series of Financial Transactions, and Possible Threats to the Health and Safety of its Ratepayers.		
I.16-01-012	Order Instituting Investigation on the Commission's own motion into the operations, practices, and conduct of T C Telephone LLC, doing business as Horizon Cellular, (T C Telephone) (U6875C) and (U4410C), to determine whether T C Telephone violated the laws, rules and regulations governing the manner in which California consumers are switched from one carrier to another and billed for telephone services.	Wildgrube	Randolph
I.17-04-021	Order Instituting Investigation on the Commission's Own Motion into the Billing Practices of Southern California Gas Company (U904G); and Order to Show Cause Why the Commission Should not Revise Rule No. 14, Impose Penalties and/or Other Remedies for Extending Billing Periods and Issuing Untimely Monthly Bills.	Ayoade	Rechtschaffen
I.17-09-004	Order Instituting Investigation and Ordering NetFortris Acquisition Co., Inc. to Appear and Show Cause Why It should not be sanctioned for Violations of the Laws, Rules and Regulations of this State by Monitoring and Recording Employee Telephone Conversations without Prior Consent.	Kim & Goldberg	Peterman
I.17-09-021	Order Instituting Investigation on the Commission's Own Motion into the Long Term Debt Financing practices of Lake Alpine Water Company (U148WTD); and Order to Show Cause Why the Commission Should not Impose Penalties and/or Other Remedies for Violations of Public Utilities Code Sections 818, 823(b) and 823(d).	DeAngelis & Goldberg	Peterman

OUTREACH/TRAINING/OTHER ACTIVITIES

- Staff called into the February SNAP (State National Action Plan) conference call. The FCC made a presentation summarizing the status of its \$2 billion Connect America Fund. The fund expands high-speed internet service to unserved rural areas.
- UEB staff attended a training presented by the Energy Division staff on the CEQA process at the Commission.

LEGISLATION OF INTEREST

UEB is currently tracking no legislative items of interest. No bills were added to or deleted from UEB's tracking list in the month.