Formal Public Participation

If you are interested in making a difference (such as with changing utility rates or instituting new policies or programs), you may make your concerns known through two very distinct ways of participating in CPUC proceedings. The two ways are generally referred to as **informal** participation and **formal** participation. Both types allow written and oral comments. Informal comments are not considered evidence nor are they included in the formal record on which a decision is based.

Participating as a formal "party" provides the most potential to impact the outcome of CPUC proceedings. However, formal participation follows a specific structure, and parties have roles and responsibilities that they must be aware of and adhere to.

This brochure provides an overview of CPUC practices. Anyone who would like to participate in a CPUC proceeding must follow the CPUC's ***Rules of Practice and Procedure****, available at: http://www.cpuc.ca.gov/rpp/.*

Stay Informed

It's easy to stay informed through the CPUC's Service Lists, Subscription Service, and information on the CPUC website.

Service Lists

Every proceeding at the CPUC has its own contact lists, called service lists, that are used to distribute all proceeding documents. If you become a "party" to a proceeding, you will be automatically added to the proceeding's party service list. Others are added to the "Information Only" or the "State Service" lists upon written request to the CPUC Process Office.

Subscription Service

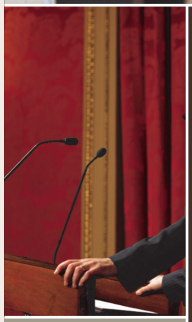
Subscribe to this free service and select and follow the items of interest to you, such as a particular proceeding, industry, or type of document. You will receive e-mails when documents are published on the website that are associated with formal proceedings, resolutions, materials related to CPUC voting meetings, and press releases. The notification provides a link to the identified document, rather than sending you a large attachment.

Daily Calendar

Provides information on CPUC hearings, meetings, etc. It is posted on the CPUC website under Proceeding Information.

Follow what interests you!

Scan the code to sign up for the CPUC Subscription Service.



Public Participation Information Series # 4

How to Become a Party in a CPUC Proceeding

This brochure is part of the CPUC Public Advisor's Office Public Participation Information Series. The brochures in the series are:

1 Understanding a CPUC Proceeding
2 Participating at a CPUC Voting Meeting
3 Participating at CPUC Public Participation Hearings and Workshops
4 How to Become a Party in a CPUC Proceeding
5 CPUC Intervenor Compensation Program
6 Ex Parte Communications at the CPUC

Contact Information for the Public Advisor's Office

E-mail: public.advisor@cpuc.ca.gov
Toll-free: 866-849-8390 or 415-703-2074
TTY: 866-836-7825

Address:
CPUC Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

02/06/14

www.cpuc.ca.gov

Party's Rights and Responsibilities

You do not have to be an attorney to be a formal participant in a proceeding. Those granted "party" status in a proceeding have the same rights, responsibilities, and obligations as all other parties, including the applicant, if there is one.

Among the rights are:

- Ability to present evidence and witnesses to strengthen your position.
- Obtain information from other parties.
- Ability to file relevant motions, petitions, objections, and briefs.

Among the responsibilities are:

- Must make witnesses available for cross-examination when witnesses have presented testimony.
- Must serve documents on all parties.
- Must respond to data and information requests from other parties.

Becoming a Party

Participating as a Party

There are specific rules about the California Public Utilities Commission (CPUC) proceedings that are important to know, such as the issues a proceeding will cover, the length of time a proceeding will take, and the manner in which a record will be developed. For example, there may be hearings where testimony will be heard and cross-examined or the judge may base the decision solely upon submission of written documents.

When becoming a party to a proceeding, you must adhere to the proceeding schedule and follow the rules regarding document formats and submission deadlines. There is formal courtroom etiquette that everyone must follow throughout the proceeding. There are also specific rules related to conversations between parties and decision-makers. These "ex parte" rules are discussed in more detail in the CPUC's **Rules of Practice and Procedure.**

Guidelines and assistance regarding formal participation are provided by reading the CPUC's **Rules of Practice and Procedure**, by the Docket Office, and by calling the Public Advisor's Office.

Become a Party to a Proceeding by:

- Filing an application, petition, or complaint.
- Being a defendant to a complaint or a respondent to an investigation or rulemaking.
- Filing a protest or response to an application or petition, or filing comments in a rulemaking.
- Entering an appearance at a Prehearing Conference or hearing.
- Filing a motion to become a party.

A Person Seeking Party Status Must:

- Fully disclose the persons or entities in whose behalf the filing, appearance, or motion is made, and fully disclose the interest of such persons or entities in the proceeding.
- Show that the contentions will be pertinent to the proceeding issues. The judge may grant party status, or where circumstances warrant, deny party status or may limit the degree to which a party may participate.

California
Public Utilities
Commission

Consumer Service
& Information Division

Formal File

The Formal File contains all communications in a proceeding, which includes rulings, decisions, transcripts, testimony, informal consumer comments, evidence, etc. The Formal File can be viewed in the Central Files at the CPUC San Francisco headquarters. Also, an electronic "Docket Card" is available on the CPUC website. The Docket Card includes rulings, decisions, and formally filed documents, but does not include testimony, transcripts, or informal correspondence.

Filing Formal Documents online with E-File

Anyone interested in becoming a party should become familiar with the Electronic Filing (E-Filing) System. E-filing allows you to file documents in formal proceedings at the CPUC from your office using a web-based application. The CPUC has a guide that explains the e-filing process. This guide is available online at http://www.cpuc.ca.gov/puc/efiling.

Answers to frequently asked questions (FAQs) about filing formal documents are available online: http://docs.cpuc.ca.gov/word_pdf/REPORT/117474.pdf.