

HOW TO FILE AN APPEAL OF A CITATION

You have received a citation from the California Public Utilities Commission (CPUC). If you cannot pay the fine in full right away, you **may request a payment plan** to pay your fine over time instead of all at once. Please contact the investigator who issued the citation and ask for information about a payment plan.

HOW DO I FILE AN APPEAL?

IF YOU WISH TO APPEAL THIS CITATION, YOU MUST DO SO WITHIN 20 CALENDAR DAYS OF THE DATE YOU RECEIVED THE CITATION.

You **must** file your appeal as required by the **CPUC Instructions for Filing a Notice of Appeal**, found at <http://www.cpuc.ca.gov/General.aspx?id=4632>. You also **must serve copies** of the Notice of Appeal, and you must show that you have served the copies by attaching a “**Certificate of Service for a Citation Appeal**”. In the Notice of Appeal, **you must state why you are appealing the citation. Please explain why you believe the citation was issued by mistake or provide information you believe the CPUC does not have.**

To properly serve the Notice of Appeal, send the Notice of Appeal and any attachments either electronically or by paper copy to each of the following:

1. **Docket Office**, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102 or ALJ_Docket_Office@cpuc.ca.gov. (If you are filing your notice of Appeal in **paper** copy, then please also include an **original** and **six exact copies** of the document, including any attachments, for the Docket Office.)
2. **Nick Zanjani, Director**, Consumer Protection and Enforcement Division, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102 or Nick.Zanjani@cpuc.ca.gov.
3. **Karen Clopton, Chief Administrative Law Judge**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102 or Karen.Clopton@cpuc.ca.gov.
4. **ALJ Division Appeals Coordinator**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102 or ALJ_Div_Appeals_Coordinator.

If you do not submit your Notice of Appeal form as described here, we may reject your appeal.

Please also e-mail a **courtesy** copy of your appeal, including attachments, to:

TEB_Citation_Appeals@cpuc.ca.gov

You may request up to 30 days additional time to file an appeal. To ask for extra time, you **must** send a request **in writing** to the Director of the CPUC’s Consumer Protection and Enforcement Division (CPED), listed above. CPED must receive your written request for extra time by **the date your appeal of the citation is due**. A copy of the letter granting you an extension must be attached to your appeal.

The Citation Appeals Process can be found in Appendix A and pages 7 through 9 of Appendix B to CPUC Resolution ALJ-299. You may download Appendices A and B at

<http://docs.cpuc.ca.gov/ResolutionSearchForm.aspx>. The Citation Appeals Process is also included in the packet you received along with the citation.

WHAT HAPPENS IF I DON'T RESPOND?

If you do not respond to the citation within the 20 calendar days, you will be in default of the citation, and will lose your right to appeal the citation. In addition, CPED will immediately suspend your operating authority. If you do not pay the citation amount or make a payment arrangement by 30 days after suspension of your operating authority, CPED will revoke your operating authority. Once we revoke your operating authority, we cannot reinstate it. Instead, first you must pay the citation fine, and then apply to the CPUC for **new** operating authority and pay a filing fee. The CPUC may also take action through a civil or criminal proceeding to recover any unpaid fines and to ensure compliance with applicable statutes and CPUC orders.

WHAT ARE MY RIGHTS?

If you file a Notice of Appeal, the CPUC may set a **hearing date** for your appeal to be heard before an Administrative Law Judge (ALJ). **You will need to attend** the hearing and explain to the ALJ why the citation was issued by mistake or was based on information CPED did not have.

At the hearing:

- (a) **You may have an attorney** or someone else represent you, but you must pay for the attorney or other representative.
- (b) **You may ask for a transcript** of the hearing, but you must pay the cost of the transcript.
- (c) **You are entitled to have an interpreter** present at the hearing to translate for you. The CPUC will provide the interpreter, and you will not have to pay for the interpreter's service. To have an interpreter at the hearing, **you must make a written request to the Chief Administrative Law Judge and to the Office of the Public Advisor (see contact information, below) no later than five business days before the date of your hearing.**
- (d) **You may provide evidence and call witnesses** to testify for you. If you will be providing evidence for the record of the hearing, you must provide that evidence to CPED **no later than three days** before the date of your hearing.

WHERE WILL THE HEARING BE HELD?

Hearings are generally held in the CPUC's hearing rooms at either our San Francisco or Los Angeles locations, unless the ALJ decides to use a different location.

San Francisco:

505 Van Ness Avenue
San Francisco, CA 94102

Los Angeles:

320 West 4th Street, Suite 500
Los Angeles, CA 90013

WHERE CAN I GET HELP?

The CPUC's **Public Advisor's Office** can help you file your appeal. The Public Advisor's Office cannot appear at the hearing with you or help you present your appeal, but can help you understand the appeal process. The Public Advisor's Office can be reached at:

Telephone: 866-849-8390 or 415-703-2074

Email: public.advisor@cpuc.ca.gov

Mail: CPUC Public Advisor, 505 Van Ness Avenue, San Francisco, CA 94102