

**Resolution E-4720, 8/27/2015, updating Resolution E-4257, 10/29/2009; Re: Citations of Retail Sellers for Non-compliance with Mandatory Filing Deadlines and Reporting Requirements of the Renewables Portfolio Standard (RPS)**

**Additional Statutory Authority:** Various, particularly §399.11 et seq

<b>Event</b>	<b>Resolution E-4720</b>	<b>Governing Appellate Rule</b>
<b>File Appeal</b>	Within 30 days of the citation date. There shall be no extension of time to file a Notice of Appeal. (Appendix A § 2.7.1 & § 2.7.3)	Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by Resolution E-4720, Appendix A § 2.7.1.
<b>Content of Appeal</b>	Indicate rationale for appeal, date of citation, copy of citation. (Appendix A § 2.7.1)	Program Rule 5: State date and dollar amount of citation; indicate rationale for appeal as required by Resolution E-4720, Appendix A § 2.7.1.
<b>Compliance Filing</b>	Staff issuing citation must file Compliance Filing, including complete copy of citation and all attachments with Docket Office and serve upon Chief ALJ and Appellant no later than seven business days after Notice of Appeal is filed. (Appendix A § 2.7.2)	Program Rule 7: Staff issuing citation must file complete citation with Commission's Docket Office no later than 14 days after Notice of Appeal is filed. Staff must also serve filing on Chief Judge and Appellant on the same day.
<b>Exchange of Info</b>	Parties must exchange all information they intend to introduce into record no later than three business days prior to	Program Rule 9: Parties must exchange all information intended to be introduced into the record at hearing which

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	hearing. Not to be filed with Docket Office or served on decision makers (Appendix A § 2.7.6)	is not included in citation or compliance filing no later than three business days prior to hearing.
<b>Hearing Date</b>	Not less than ten days after the assignment of a Judge (Appendix A § 2.7.5)	Program Rule 10: Hearing must commence by time specified in Resolution E-4720, Appendix A § 2.7.5.
<b>Burden of Proof</b>	Staff. Staff shall open and close. Judge may alter order. (Appendix A § 2.7.11)	Program Rule 11: The burden of proof is as set forth in Resolution E-4720, Appendix § A 2.7.11.
<b>Evidence</b>	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Appendix A § 2.7.11)	Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
<b>Hearing Venue</b>	SF, Judge may change location. (Appendix A § 2.7.7)	Program Rule 12: Venue as set forth in Resolution E-4720, Appendix A § 2.7.7.
<b>Party Representative</b>	At appellant's expense. (Appendix A § 2.7.10)	Program Rule 13: At appellant's expense.
<b>Transcript</b>	Appellant may order and must pay costs per Commission's procedures. (Appendix A § 2.7.8)	Program Rule 14: Appellant must pay costs per Commission's procedures.
<b>Interpreter</b>	Upon good faith showing of language difficulty	Program Rule 15: Upon a good faith showing of

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	and written request to Judge and Public Advisor's Office, not less than five business days prior to hearing. At Commission's expense. (Appendix 2.7.9)	language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing. At Commission's expense.
<b>Submission</b>	Ordinarily at close of hearing; Judge may keep record open for good cause for a reasonable period to permit a party to submit additional evidence or argument. (Appendix A § 2.7.12)	Program Rule 16: The submission date is governed by Resolution E-4720, Appendix A § 2.7.12.
<b>Issuance of Draft Resolution</b>	No later than 60 days after submission. Draft Resolution issued for public comment. (Appendix A § 2.7.13)	Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Program Rule 18: Draft Resolution issued for public comment.
<b>Ex Parte Communications</b>	Prohibited from date citation issued to final order. (Appendix A § 2.7.15)	Program Rule 19: Prohibited from date the citation (which is being appealed) issues to final order.
<b>Rehearing</b>	Subject to rehearing and judicial review. (Appendix A § 2.7.14)	Program Rule 20: Resolution subject to rehearing.

**Additional Program Rules:**

- Rule 1: Applicability
- Rule 2: Definitions
- Rule 4: Extension of Time to File the Notice of Appeal
- Rule 6: Minimum Service Requirements for the Notice of Appeal
- Rule 6.1: Expedited Citation Appeal Procedure
- Rule 8: Service List and Parties to An Appeal
- Rule 21: Service of Rules and Resolution Adopting Them With All Citations and Clearinghouse Decisions Concerning General Order 156
- Rule 22: Applicable Procedure when Appellate Rules Are Silent