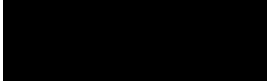




Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Jose Diego Lizcano Novoa



File: Unlicensed

Date: July 25, 2025

Citation: T.2025-07-008

Case: CSE-000611

VIOLATIONS

You are hereby cited with having violated a section of the Public Utilities (Pub. Util.) Code and California Public Utilities Commission (CPUC) General Order (G.O.) as described below. The violation occurred on July 23, 2025.

- (1) Operated as a charter-party carrier without an operating authority in violation of Pub. Util. Code Section 5371. [1 count]

STATEMENT OF FACTS

The above violation is documented in the attached Investigation Report, which consists of the carrier's records and substantiating documents obtained from other sources.

RESPONSE

TEB used the Penalty Assessment Methodology adopted in Resolution M-4846 and considered mitigating and exacerbating factors in setting the fine.

You are hereby called upon to answer this citation on or before August 14, 2025. By way of such an answer, you may either:

- (1) Pay a fine of \$ 1,500 pursuant to Pub. Util. P.U. Code Section 5378. Submit your check or money order payable to CPUC using the attached *Citation Agreement*. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund, and the Commission staff will deem the matter closed, **or**
- (2) Contact the Supervisor below to make payment arrangements, **or**
- (3) Contest this Citation by filing an Appeal. See attached document "*How to File an Appeal and Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal.*"

If you fail to respond by August 14, 2025, you will be in default and will have forfeited your right to appeal the Citation. In addition, your operating authority will be immediately suspended and may be subsequently revoked pursuant to Resolution ALJ-187. The Commission may also act through a civil or criminal proceeding to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

Eric Hooks

Eric Hooks
Program and Project Supervisor
Transportation Enforcement Branch
Telephone number (415) 703-2302
E-mail address: eric.hooks@cpuc.ca.gov

Attachments



Public Utilities Commission
STATE OF CALIFORNIA
CITATION COMPLIANCE AGREEMENT

File No.: Unlicensed
Citation # T.2025-07-008
Date: July 25, 2025
Case # CSE-000611

I (we) hereby agree to comply with this citation dated July 25, 2025, and herewith pay the fine of \$1,500.

Jose Diego Lizcano Diego



(Signature)

(Title)

(Date)

Automatic credit and debit card payments are available. To arrange for autopay, fill out the attached CREDIT OR DEBIT CARD AUTHORIZATION form and email it to our Fiscal Office at FiscalOffice-TECitations@cpuc.ca.gov.

Or

Payment (cashier's check or money order) should be made payable to *California Public Utilities Commission* and sent to:

California Public Utilities Commission
Attn: Fiscal Office
505 Van Ness Avenue
San Francisco, CA 94102-3298

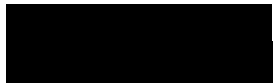
INVESTIGATION REPORT

CARRIER: Jose Diego Lizcano Novoa, an Individual

OWNER: Jose Diego Lizcano Novoa

AUTHORITY: None (Unlicensed)

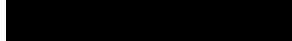
MAILING ADDRESS:



PHONE/EMAIL:



VEHICLE: 1 vehicle License Plate:



EMPLOYEE-DRIVER: 1

**PL&PD¹
INSURANCE:** None

**WORKERS'
COMPENSATION
INSURANCE:** None

DRUG CONSORTIUM: None

¹ Public Liability and Property Damage (PL&PD)

NARRATIVE

On July 25, 2025, I was assigned to investigate Jose Diego Lizcano Novoa (hereinafter referred to as Jose) after the vehicle he was operating was impounded by the California Highway Patrol (CHP) for operating without a valid authority from the California Public Utilities Commission (CPUC).

VIOLATIONS

I investigated Jose for the period of July 23, 2025, and found a violation of the following provisions of the Public Utilities (Pub. Util.) Code.

- **Operated as a charter-party carrier without an operating authority in violation of Pub. Util. Code Section 5371. [1 count]**

On July 23, 2025, I Alex Nera, Senior Enforcement Analyst with the CPUC's Consumer Protection and Enforcement Division (CPED), Transportation Enforcement Branch (TEB), along with CHP Officer Tam, observed Jose, identified via a California driver's license [Attachment 1], operating a vehicle with California license plate [REDACTED] and VIN # [REDACTED] [Attachment 2], in the international arrival zone at San Francisco International Airport (SFO).

During a commercial vehicle inspection, Officer Tam and I reviewed the Lyft Transportation Network Company (TNC) app profile associated with the driver. We determined that the active driver profile displayed the name Nelson Chavarriaga, but the individual dropping off a passenger at the SFO international terminal was Jose [Attachment 3]. This constituted a direct violation of CPUC Decision 13-09-045, specifically Ordering Paragraph 4, which requires that each TNC driver undergo a background check and receive approval before providing services. The decision also defines "providing TNC services" as beginning when the app is opened, meaning only individuals authorized by the TNC may operate under a TNC platform.

Jose operated a passenger vehicle for compensation without CPUC authority, in violation of California Pub. Util. Code §5371, which requires any charter-party carrier of passengers, including TNC drivers, to obtain a CPUC certificate or permit before operating for

compensation. By using someone else's profile on the Lyft app, Jose bypassed CPUC's required safety vetting and insurance provisions, making him an unauthorized and unlicensed operator.


A records check conducted through the Transportation and Licensing Analysis Branch (TLAB) confirmed that Jose has never held operating authority with the CPUC. Accordingly, this activity also violated Public Utilities Code §5371, which prohibits any entity or individual from engaging in for hire transportation without CPUC authority.

As a result, a Cease-and-Desist Notice [**Attachment 4**] and an Inspection Observation Report [**Attachment 5**] were issued to Jose for operating without CPUC authority. Additionally, I obtained approval from TEB Program and Project Supervisor Eric Hooks to request that Officer Tam impound the vehicle in accordance with enforcement protocol [**Attachment 6**].


DECLARATION

I have read the foregoing and know the contents thereof, and I declare that the foregoing is true and correct, except as to those matters stated on information and belief, and as to those matters, I believe to be true.

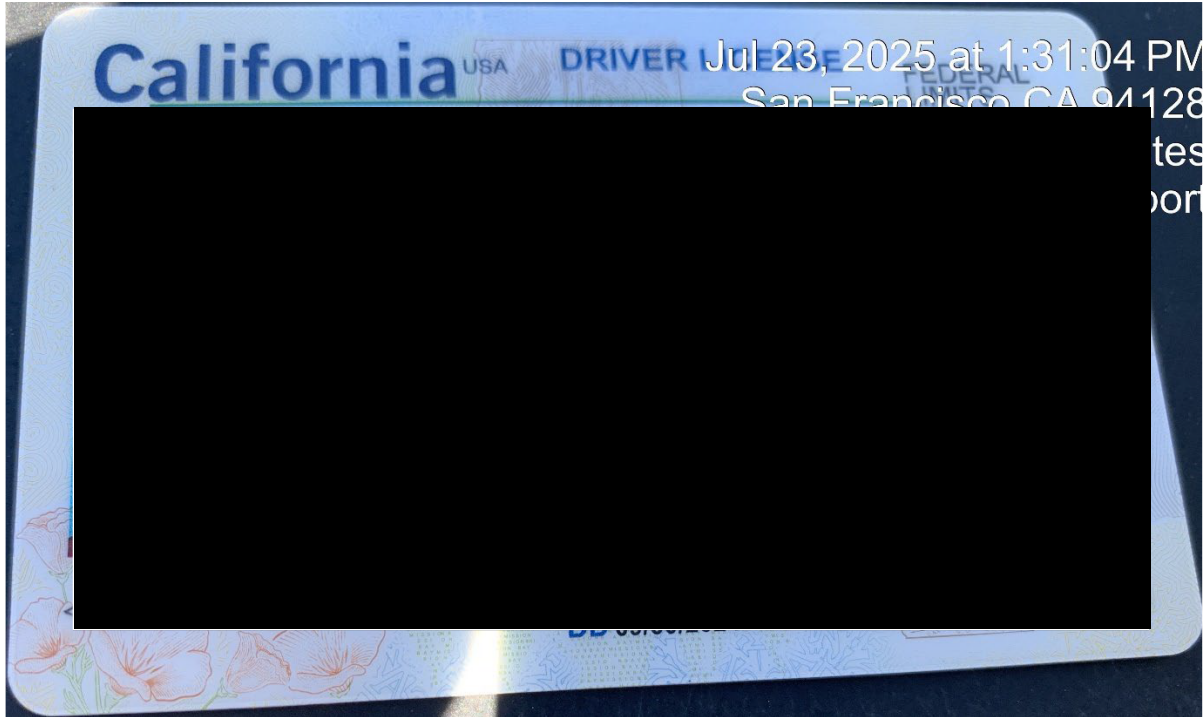
Executed on July 25, 2025
at Sacramento, California


Alexander Nera,
Senior Enforcement Analyst

INDEX OF ATTACHMENTS

- Attachment 1. California Driver's License
- Attachment 2. Photo of vehicle License Plate 
- Attachment 3. Lyft app profile
- Attachment 4. Cease and Desist Notice
- Attachment 5. Inspection Observation Report
- Attachment 6. Request for Impound and CHP 180

Attachment 1

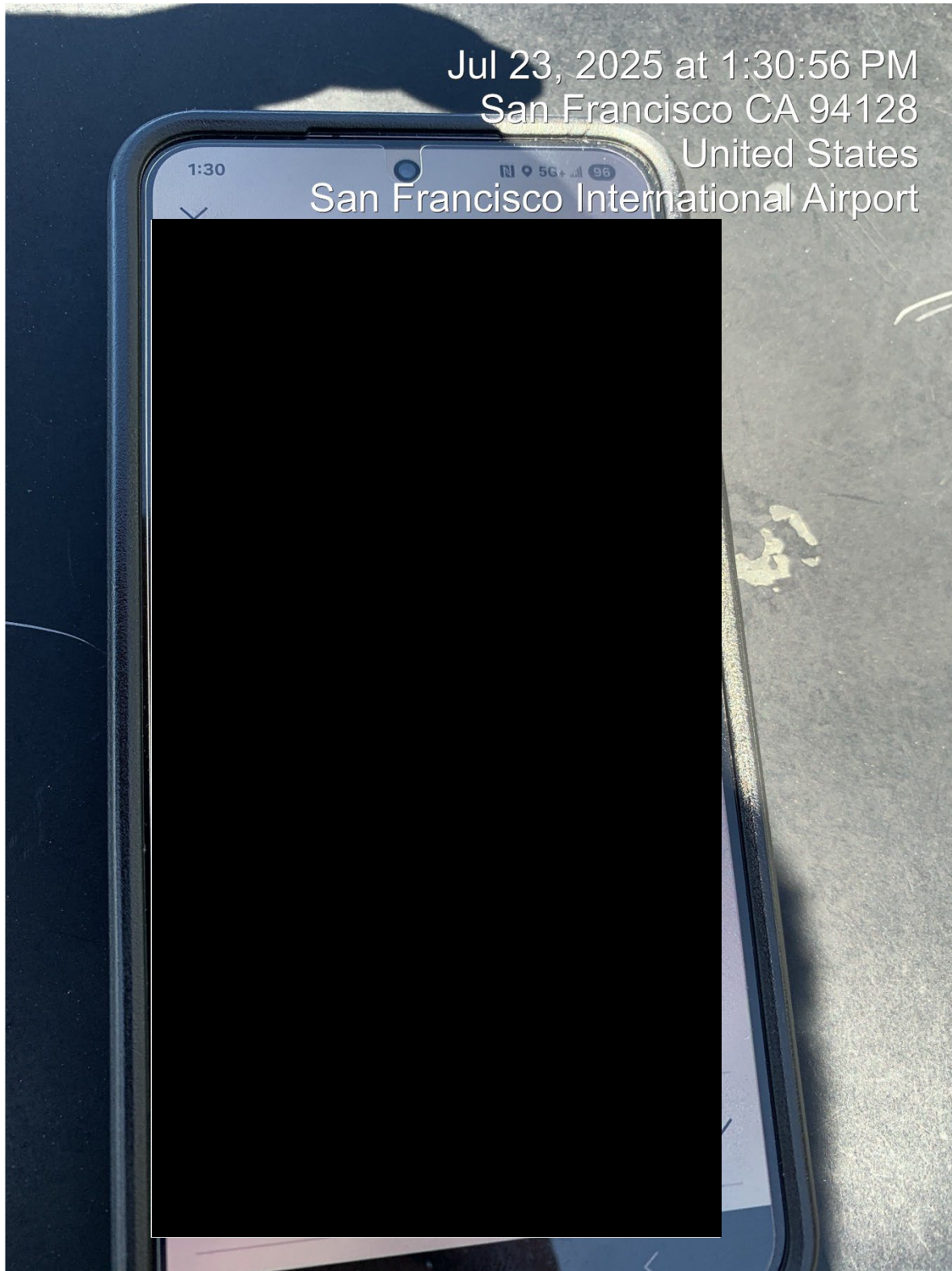


Attachment 2





Attachment 3



Jul 23, 2025 at 1:34:37 PM

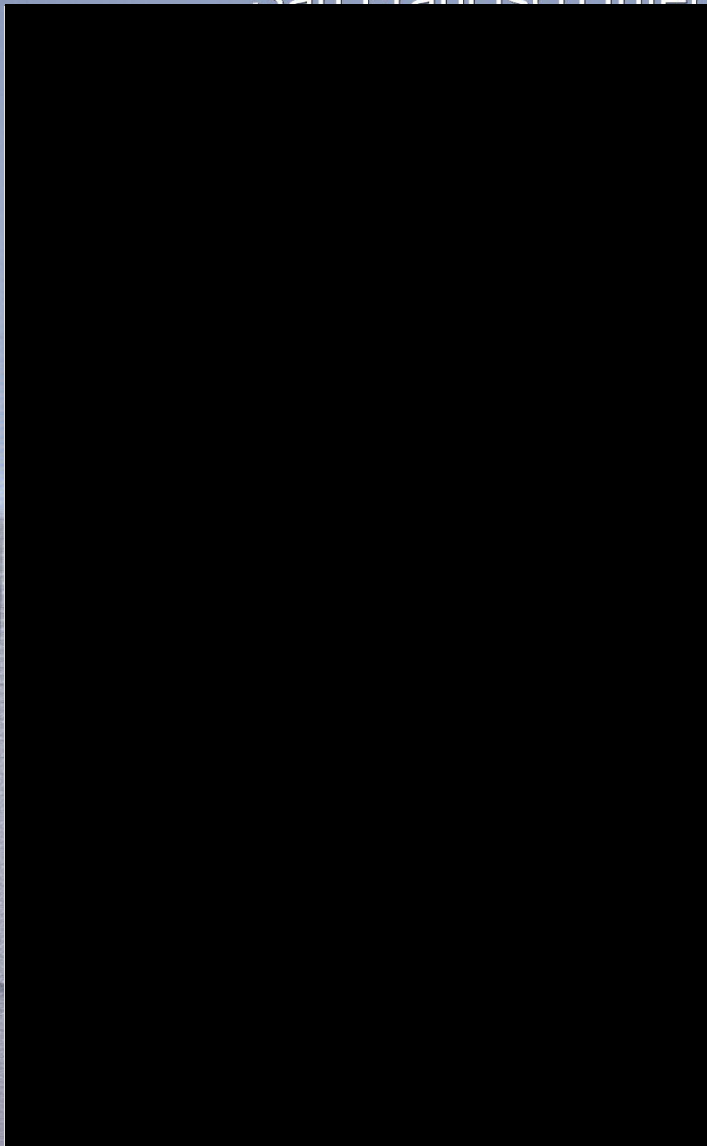
San Francisco CA 94128

United States

San Francisco International Airport

TNC

Citation



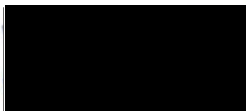

TNC: Lvft



sfocite.flysfo.io



Attachment 4

NOTICE TO CEASE AND DESIST

Date: 07/23/2025
Carrier: JOSE DIEGO LIZCANO NOVOA
TCP number, if any: Operating Status: UNLICENSED

The California Public Utilities Commission (CPUC) has determined that you are operating without valid authority.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL OPERATIONS, INCLUDING ADVERTISING, UNTIL YOU MEET ALL LICENSING REQUIREMENTS AND RECEIVE VALID OPERATING AUTHORITY FROM THE CPUC.

ANY OPERATIONS, INCLUDING ADVERTISING, WHILE OPERATING IN A SUSPENDED, CANCELLED, REVOKED, OR DENIED STATE IS UNLAWFUL.

This letter places your company on notice that any activity without the required permit or certificate is a violation and may result in civil or criminal prosecutions, possible fines, and possible termination of telephone service. To acknowledge receipt of this notice, please call 800-894-9444 within 5 business days of receipt.

☒ **OPERATION WITHOUT AUTHORITY**
Public Utilities Code Section 5371 and 5387 (TCP)/Section 1031 (PSC). - Circle One

☐ **OPERATION AFTER: SUSPENSION/REVOCATION/EXPIRATION/DENIAL OF AUTHORITY**
Public Utilities Code Section 5379 (TCP)/Section 1045 (PSC). - Circle One


☐ **ADVERTISEMENT WITHOUT AUTHORITY**
Public Utilities Code Section 5414.5 (TCP)/Section 1037 (PSC). - Circle One

Signature JOSE L TITLE DRIVER

*****IF DRIVER IS NOT RESPONSIBLE, DRIVER IS TO GIVE NOTICE TO RESPONSIBLE OWNER*****

COMMENTS: LYFT ILLEGAL APP USE. JOSE LIZCANO NOVOA WAS OPERATING ON THE LYFT APPLICATION OF NELSON CHAVARRIAGA.

See attached Inspection Observation Report Form for more detail.


Enforcement Analyst Signature

CPUC COPY

Attachment 5

CALIFORNIA PUBLIC UTILITIES COMMISSION INSPECTION OBSERVATION REPORT	
Date: <u>07/23/25</u>	
Location: Airport/Other: <u>SFO</u> PSC/TCP/TNG: <u>UFT</u> Investigator: <u>ASTABU</u>	
Prime Carrier: <u>JOSE DIEGO LIZCANO NOVOA</u> Phone#: _____	
Address: _____ City: _____ Zip: _____	
Driver: _____	
Address: _____	
Phone: _____	
Relationship with Carrier: Owner/ Employee/ Sub-carrier/ Other: _____ (circle one)	
Comments: _____	
License Plate #: _____ #: _____ Registration Exp.: _____ Seats: _____	
Registered Owner: _____ Leased/Owned (circle one)	
Address: _____	
City: _____ Zip: _____ Phone: _____	
Violation(s):	
Vehicle:	<input type="checkbox"/> TCP # Not shown on rear/front bumper <input type="checkbox"/> Vehicle not listed with PUC <input type="checkbox"/> PSC/TCP # not on side of vehicle* <input type="checkbox"/> No Trade Dress <input type="checkbox"/> Front <input type="checkbox"/> Rear <input type="checkbox"/> Carrier's name not on side of vehicle* <small>*exempt for vehicles < 15 passengers incl. driver or leased < 30 days</small>
Waybill:	<input type="checkbox"/> No waybill <input type="checkbox"/> Driver's Name <input type="checkbox"/> No. of person in group <input type="checkbox"/> Transportation arranged by phone or written contract <input type="checkbox"/> Name of at least 1 passenger in traveling party or identification of traveling party's affiliation <input type="checkbox"/> Carrier Name /TCP# <input type="checkbox"/> Time/Date Charter arranged <input type="checkbox"/> Name/address of persons arranging charter <input type="checkbox"/> Vehicle License Plate # <input type="checkbox"/> Origin/Destination
TNC OPS:	<input type="checkbox"/> No Trade Dress <input type="checkbox"/> Front <input type="checkbox"/> Rear <input checked="" type="checkbox"/> Profile Non-Match <input type="checkbox"/> Lack Proof of Prearranged Ride <input type="checkbox"/> Non-State CDL <input type="checkbox"/> No Airport Permit
Violation(s): <input checked="" type="checkbox"/> Yes, as noted above and in comments below <input type="checkbox"/> No Violation	
Law Enforcement Citation No.: <u>646</u>	
Comments: <u>UFT ILLEGAL APP USE. JOSE LIZCANO NOVOA WAS OPERATING ON THE UFT APPLICATION OF NELSON CHAVARRIAGA.</u>	
<u>Jose L. Novoa</u> Signature and Title	

Attachment 6



Public Utilities Commission STATE OF CALIFORNIA Request to Impound

Indicate seating capacity of the vehicle (including driver): 4

Indicate the number of passengers (including driver): unknown (2)

One of the following is required:

- ☒ No TCP permit or certificate issued
- ☒ TCP/PSC: _____ (circle one) suspended, revoked, expired, or denied.
 - ☐ Driver does not possess a valid and current CDL for vehicle operated license class, endorsement, or required certificate

Name of PUC Enforcement Analyst requesting impound: Alex Nera

Charge one of the following:

- ☒ CPUC 5411/1037 ref CPUC 5371/1031 - Misdemeanor/Unlawful to operate without proper PUC operating authority.
- ☐ CPUC 5411/1037 ref CPUC 5379/1045 - Misdemeanor/Unlawful to operate with suspended, revoked, or expired authority.

In body of citation indicate: "Vehicle impounded per 14602.9 CVC."

Name of person, who within 2 DAYS, notified the legal owner of the impound by certified mail:

Lizcano Jose Diego

Citing/Arresting Officer Name: Officer Hunt (ID 17159)

Allied Agency Case Number: 646

Date: July 23, 2025






Reason for stop and additional notes on back of this form.
Attach this form to CHP 180

TOWING / STORAGE CONCERN (NAME, ADDRESS, PHONE)

STORAGE AUTHORITY / REASON

<input type="checkbox"/> STOLEN VEHICLE / COMPONENT	<input type="checkbox"/> EMBEZZLED VEHICLE	<input type="checkbox"/> PLATE(S) REPORT
DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)
LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P
		TELEPHONE OF R/P ()
I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.		SIGNATURE OF PERSON MAKING REPORT

[LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]

				
FRONT	LEFT SIDE	RIGHT SIDE	REAR	TOP
SIGNATURE OF OFFICER TAKING REPORT <i>Hume</i>		I.D. NO. <i>17159</i>	SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 CVC? <input type="checkbox"/> YES <input type="checkbox"/> NO
				DATE NOTIFIED

Chp180_0416.pdf

PSG /MTR NO. _____

CARRIER NAME: _____

CREDIT OR DEBIT CARD AUTHORIZATION

I, _____

(PRINTED NAME)

Do hereby authorize the **CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC)** to charge the

Amount of _____ from **my VISA / MASTERCARD** (Circle one)

Card No. : _____

Expiration date : _____

Cardholder Authorized Signature

Today's date

Attachments:

Photocopy of Credit Card (Front & Back)

Photocopy of Cardholder's Driver's License

HOW TO FILE AN APPEAL OF A CITATION

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

There are two options to file your appeal. both options require use of the Appeal Form located at the link below:

Appeal Form

Option 1: You may file your appeal electronically by following the instructions on the CPUC's Filing A Document Electronically (E-filing) webpage <https://www.cpuc.ca.gov/efile>

Option 2: You may file you appeal by sending six (6) paper copies addressed to CPUC's Docket office:

**California Public Utilities Commission
Docket Office, 2nd Floor
505 Van Ness Ave
San Francisco, CA 94102**

After Filing your appeal. you must also serve the Notice of Appeal:

To serve copies of the Notice of Appeal, you must attach a “**Certificate of Service for a Citation Appeal**”. In the Notice of Appeal, you must state why you are appealing the citation.

To properly serve the Notice of Appeal, send the Notice of Appeal and any attachments by e-mail to the following recipients:

1. **CPUC Docket Office**, ALJ_Docket_Office@cpuc.ca.gov
2. **Transportation Enforcement Inbox**, TEB_Citation_Appeals@cpuc.ca.gov
3. **Terra Curtis, Director CPED**, Terra.curtis@cpuc.ca.gov
4. **Anne Simon, Chief Administrative Law Judge**, Anne.Simon@cpuc.ca.gov
5. **ALJ Division Appeals Coordinator**, ALJ_Div_Appeals_Coordinator@cpuc.ca.gov

Please note if you are appealing by the Paper Copy process you must also file the Notice of Appeal either by emailing as described above or mailing to the following:

Original plus six copies to:

1. **Docket Office** California Public Utilities Commission, Docket Office, 2nd Floor, 505 Van Ness Ave, San Francisco, CA 94102

One Copy Each to:

2. **Terra Curtis, Director**, Consumer Protection and Enforcement Division, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco
3. **Anne Simon, Chief Administrative Law Judge**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 5th Floor, San Francisco, CA 94102
4. **ALJ Division Appeals Coordinator**, California Public Utilities Commission, Administrative Law Division, 505 Van Ness Ave., 5th Floor, San Francisco, CA 94102
5. **Program Manager CPED/TEB-South** Kenneth Bruno, 320 W. 4th Street Los Angeles, CA 90013
6. **Program Manager CPED/TEB-North (TBD)**, California Public Utilities Commission, 505 Van Ness Ave., 2nd Floor, San Francisco, CA 94102

You may request an extension of time to file an appeal

You may request up to 30 days additional time to file an appeal. To ask for extra time, contact the Supervisor listed on the citation on or before the due date to seek a 30-day extension. 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 of CPUC Resolution ALJ-377. You may download the Resolutions at the following Commission webpage <http://docs.cpuc.ca.gov/ResolutionSearchForm.aspx> The relevant Citation Appeals Process are also included in the packet you received along with the citation.

Paying the Citation and availability of Payment Plans

If you do not want to file an appeal and agree to comply with the citation and pay the fine, sign the Citation Compliance Agreement. Contact the Supervisor listed on the citation before the due date to seek authorization for any payment plans as necessary.

Frequently Asked Questions

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 act 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 will set a **hearing date** for your appeal to be heard before an Administrative Law Judge (ALJ).

Hearing Venue:

Until further notice, all appeal hearings will be telephonic due to the COVID-19 pandemic. Telephone instructions will be provided by the ALJ prior to the telephone hearing.

At the hearing:

There are two different types of Hearing Procedures for an Appeal to be heard before a CPUC Administrative Law Judge.

Expedited Citation Appeal Procedure

Resolution ALJ-377 provides for an expedited process for citations at or below the jurisdictional limit of the Small Claims Court in California as referenced in Public Utilities Code § 1702.1. This is currently \$10,000 for individuals and \$5,000 for corporations.

- Attorneys or representatives are not allowed to represent parties in the expedited process.
- No court reporters will be present, nor will a transcript be provided.
- You are entitled to have an interpreter present at the hearing to translate for you. The CPUC will provide the interpreter cost free. 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, on this form) no later than five business days before the date of your hearing.
- 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.
- A party who is subject to the Expedited Citation Appeal Procedure, may at any time prior to the swearing in of the first witness at the evidentiary hearing, request termination of the Expedited Citation Appeal Procedure, and that the matter be recalendared for hearing under the Commission's regular procedure for Citation Appeals. The Commission or the assigned Administrative Law Judge, when the public interest so requires, may at any time prior to the filing of a resolution addressing the Citation Appeal, terminate the Expedited Citation Appeal Procedure and recalendar the matter for hearing under the Commission's regular procedure for Citation Appeals.

Regular Procedure for Citation Appeals

For cases exceeding the small claims threshold above, or when the appellant requests termination of the expedited procedure, the CPUC will use the regular procedure for citation appeals.

- You may have an attorney or someone else represent you, but you must pay for the attorney or other representative.
- You may ask for a transcript of the hearing, but you must pay the cost of the transcript.
- 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.

- 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 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

Administrative Law Judge Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102



CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) INSTRUCTIONS FOR FILING A NOTICE OF APPEAL AND CERTIFICATE OF SERVICE FOR A CITATION APPEAL

***Note:** When filing a citation appeal, it is important to review both the specific Citation Program under which your citation has been issued and Resolution ALJ-377. The Pilot Rules enacted in Resolution ALJ-299¹ and these Revised Rules enacted in Resolution ALJ-377² require citation appeals after January 1, 2015 to be filed with the CPUC's Docket Office.³ Appendix A of Resolution ALJ-377 lists the Citation Appellate and General Order Appellate Rules ("Citation Appellate Rules"). Appendix B of Resolution ALJ-377 describes the interaction between Resolution ALJ-377 and the individual Citation Programs in existence as of the adoption of Resolution ALJ-377. The cited entity initiating the appeal is referred to as an "appellant" under Resolution ALJ-377, Citation Appellate Rule 2.*

Resolution ALJ-377 can be found at the following link and the citing authority should provide a copy of it when the citation is issued:

<https://docs.cpuc.ca.gov/ResolutionSearchForm.aspx>.

A copy of the Citation Program under which the citation is issued can be obtained from the CPUC Division issuing the citation.

It is useful to also refer to the CPUC's Rules of Practice and Procedure (P&P Rules), as they are referred to in Resolution ALJ-377. The P&P Rules can be found on the CPUC's webpage <http://www.cpuc.ca.gov/codelawsrules/>.

The requirements for formatting your document and how and where to file are generally set forth in P&P Rules 1.5, 1.6 and 1.13. There is no filing fee for filing the Notice of

¹ Effective as of January 1, 2015

² Effective as of July 1, 2020

³ Rule 2 of the Citation Appellate Rules refers to a "Citation Program" as the "individual applicable statute, General Order or Resolution authorizing the issuance of a citation or authorizing the revocation of a license."

Appeal. If you are filing your Notice of Appeal in hard copy, then submit an original and six exact copies of the document (including any attachments but not including the transmittal letter, if any.) (See P&P Rule 1.13(a)(2).) If you are filing electronically, please refer to the requirements in P&P Rule 1.13(b).

If you need general assistance with or have a question about filing the Notice of Appeal, contact the CPUC's Public Advisor's Office:

The Public Advisor – CPUC
505 Van Ness Avenue
San Francisco, CA 94102
(866) 849-8390 (toll free)
public.advisor@cpuc.ca.gov

Specific Instructions for Using the Citation Appeal Forms:

Insert the following information into the blanks with the corresponding letters.

NOTICE OF APPEAL FORM

- A. Insert the name of the person or entity filing the Notice of Appeal.
(Citation Appellate Rule 3 and P&P Rule 1.6(b).)
- B. Insert the number of the citation being appealed and the date the citation was issued. (e.g., Citation Number 12345 issued on January 1, 2015).
(Citation Appellate Rule 3.)
- C. Insert the amount of the citation. (Citation Appellate Rule 3.)
- D. Insert the name of the person or entity filing the Notice of Appeal.
- E. Insert the date of the citation that is appealed. (Citation Appellate Rule 5.)
- F. Insert the amount of the fine.

- G. Insert the date of any extension of time to file the appeal granted by CPED (if applicable).
- H. Insert the rationale for the appeal as specifically instructed in the Citation Program. If a Citation Program is silent on instructions for setting forth the rationale for the appeal, the Notice of Appeal must state the grounds for the appeal. The Notice of Appeal must also set forth additional items, if any, as required by the Citation Program. (Citation Appellate Rule 5.) If the Citation Program authorizes appellant to request an extension of time from a Division Director to file a Notice of Appeal, any extension received must be in writing and attached to the Notice of Appeal. (Citation Appellate Rules 4 and 5.)
- I. Insert the date that the Notice of Appeal is signed.
- J. Insert the name of the city in which the Notice of Appeal is signed.
- K. Insert the signature, name, mailing address, telephone number and, if available, electronic mail address of the person authorized to receive service and other communications on behalf of the person tendering the document. (P&P Rules 1.6 and 1.8.) This information is very important because it will be used by the CPUC to develop the official service list to give you notice of further required actions, hearing dates, etc. in the citation appeal. ***Note:** P&P Rule 1.8 requires this document to be signed. Please read the rule carefully as to who may sign the document, how to handle a document tendered on behalf of more than one person, and what representations are made by the signature.*
- L. List here all attachments to the Notice of Appeal and make sure the documents are attached in the format and manner required by P&P Rules 1.5 and 1.13. ***Note:** Citation Appellate Rule 4 requires any authorization of an extension of time to file a Notice of Appeal to be writing and attached to the Notice of Appeal. Rule 4 states: "Unless authorized by a Citation Program, there shall be no extension of time to file a Notice of Appeal from a citation issued pursuant to a Citation Program.....Any authorization of an extension of time to file a Notice of Appeal must be made by the Director (or designee) of the Commission Division*

which issued the citation, in writing, subject to the provisions of the Citation Program, and must be attached to the Notice of Appeal."

CERTIFICATE OF SERVICE FORM

Note 1: *If you are filing the Notice of Appeal in hard copy, the Certificate of Service MUST be attached to the Notice of Appeal. If you are filing the Notice of Appeal electronically, according to P&P Rule 1.13(b), the Certificate of Service must be transmitted with the document as a separate document when filing electronically, and this separate document must have its own caption. (See generally Citation Appellate Rule 6 and P&P Rule 1.9(e).)*

Note 2: *A Citation Appeal must be served at a minimum on the Chief Administrative Law Judge (with a copy to: ALJ_Div_Appeals_Coordinator@cpuc.ca.gov), and on the Director of the Consumer Protection and Enforcement Division, on the same day that the Notice of Appeal is filed. The Notice of Appeal must also be served on other entities if required by the Citation Program. (See Citation Appellate Rule 6.)*

M. Insert the date that the Notice of Appeal is served.

N. Insert the names and addresses (and email addresses if served electronically) of the persons served with the Notice of Appeal. The generic position names and addresses for the Chief Administrative Law Judge and Director of the Consumer Protection and Enforcement Division are listed on the template. Because the persons in these positions may change, you will have to look up the individual names and email addresses to insert in the template. These names and email addresses can be found on the Commission website.

O. Insert the date the Certificate of Service is signed.

P. Insert the name of the city in which the Certificate of Service is signed.

Q. The person who serves the Notice of Appeal must sign the Certificate of Service and their name must be printed under the signature line.

PRIVACY NOTICE FORM

Note: *The citation appeal is filed with the CPUC, becomes a public record, and will be posted on the Commission's website. Therefore, any information you provide in the Notice of Appeal, including but not limited to, your name, address, city, state, zip code, telephone number, email address, the facts of your rationale for the citation appeal and any other facts stated therein, will be available on-line for later public viewing. The Privacy Statement attached to the Notice of Appeal must be filled out.*

In limited circumstances, the CPUC may file a document under seal. If you wish to seek to file the Notice of Appeal with some or all of the information under seal, you cannot file electronically and must file in hard copy. Furthermore, that document must be tendered with a motion setting forth the rationale and legal citations as to why portions of the document should be filed under seal and tendered as follows. The Notice of Appeal itself and requisite exact copies should be tendered in both a redacted form (e.g., the document with the alleged confidential information excised) and unredacted form (e.g., a complete copy of the document, with both the public and allegedly confidential information included, in a sealed envelope). It is anticipated that Notices of Appeal for citation appeals will be filed as public documents. In the unlikely event you believe that there are legal grounds for filing a portion of the Notice of Appeal under seal, it may be helpful to consult a private attorney or representative to assist in your representation. However, please note that the timeframes for filing a Notice of Appeal in many citation appeals are short, so you should commence this process as soon as possible.

R. Sign and date the Privacy Notice and print your name under the signature.

****(Note: The capital letters in parenthesis correspond to the instruction sheet and are not part of the official filing.)***

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Appeal of

(A)* _____

_____ from (B) _____

In the amount of (C) _____ issued by the California Public
Utilities Commission Consumer Protection and Enforcement

Division

(Leave blank for PUC use)

NOTICE OF APPEAL

(D) _____ files this Notice of Appeal from the citation issued
on (E) _____ with a fine amount of (F)\$ _____.
An extension was granted by CPED (if applicable) to (G) _____ to file
this appeal.

The rationale for the appeal is as follows:

(H) _____

_____.

Dated (I) _____, at (J) _____, California.

(K) _____

Attachments

(L) _____

CERTIFICATE OF SERVICE

(Note: The Certificate of Service is attached to the Notice of Appeal only when filing by hard copy. If filing by electronic copy, you must file the Certificate of Service as a separate document. A template for the Certificate of Service as a separate document is also attached to this package.)

I certify that on (M)_____, I have by mail this day served a true copy of the original attached Notice of Appeal on: (N) (Insert Name of Chief Administrative Law Judge_____), Chief Administrative Law Judge, California Public Utilities Commission, 505 Van Ness Avenue, 5th Floor, San Francisco, CA 94102, (Insert email of Chief Judge)_____; ALJ_Div_Appeals_Coordinator@cpuc.ca.gov (electronically); (Insert Name of Director of Consumer Protection and Enforcement Division_____, Director, Consumer Protection and Enforcement Division, 505 Van Ness Avenue, San Francisco, CA 94102, (Insert email of Director of CPED)_____); and (Insert the names, addresses and emails of anyone else required to be served by the Citation Program you are cited under):

_____.

Dated (O)_____, at (P)_____, California.

(Q)

Privacy Notice

This message is to inform you that the Docket Office of the California Public Utilities Commission (CPUC) intends to file the above-referenced Notice of Appeal electronically instead of in paper form as it was submitted.

Please note: Whether or not your Notice of Appeal is filed in paper form or electronically, Notices of Appeal filed with the CPUC become a public record and may be posted on the CPUC's website. Therefore, any information you provide in the Notice of Appeal, including but not limited to, your name, address, city, state, zip code, telephone number, E-mail address and the rationale of your Notice of Appeal may be available on-line for later public viewing.

Having been so advised, the Undersigned hereby consents to the filing of the referenced Notice of Appeal.

(R)

Signature (same as person authorized to sign the Notice of Appeal)

Date

Print Name

****(Note: The capital letters in parenthesis correspond to the instruction sheet and are not part of the official filing.)***

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Appeal of

(A)* _____

_____ from (B) _____

In the amount of (C) _____ issued by the California Public

Utilities Commission Consumer Protection and Enforcement

Division

(Leave blank for PUC use)

CERTIFICATE OF SERVICE

I certify that on (M) _____, I have by mail this day served a true copy of the original attached Notice of Appeal on (N)(Insert Name of Chief Administrative Law Judge _____, Chief Administrative Law Judge, California Public Utilities Commission, 505 Van Ness Avenue, 5th Floor, San Francisco, CA 94102, (Insert email of Chief Judge); ALJ_Div_Appeals_Coordinator@cpuc.ca.gov (electronically); (Insert Name of Director of Consumer Protection and Enforcement Division) _____, Director, Consumer Protection and Enforcement Division, 505 Van Ness Avenue San Francisco, CA 94102, (Insert email of Director of CPED) _____);

and (Insert the names, addresses and emails of anyone else required to be served by the Citation Program you are cited under):

Dated (O)_____, at (P)_____, California.

(Q)

(Note: This Certificate of Service as a separate document is to be used if you are filing the Notice of Appeal electronically. If you are filing the Notice of Appeal by hard copy, you must attach the Certificate of Service to the Notice of Appeal.)

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-187
Administrative Law Judge Division
September 22, 2005

RESOLUTION

RESOLUTION ALJ-187. Adopts Procedures for Appeal of Citations Issued to Household Goods Carriers, Charter Party Carriers, and Passenger Stage Corporations.

By a series of previous resolutions, the Commission has developed a program under which the Consumer Protection and Safety Division (CPSD) is authorized to issue citations to various classes of carriers for violation of the Public Utilities Code or Commission orders. In turn, a carrier issued such a citation may accept the fine imposed or contest it through a process of appeal. Now, in an effort to make this program more comprehensive and this process more efficient, the Commission has prepared new procedures to govern the appeal of these citations.

A draft of this resolution was issued on August 19, 2005, for public review and comment. No one filed comments. The resolution is adopted as originally proposed with minor clarifications.

IT IS THEREFORE RESOLVED that the following procedures shall govern appeals of citations for violation of statutes or Commission orders relating to household goods carriers, charter party carriers, and passenger stage corporations:

1. *Citation: Contents.* The citation served upon the respondent by the investigator shall include:
 - (a) A specification of each statute or Commission order allegedly violated;
 - (b) A statement of the facts upon which each alleged violation is based;
 - (c) A statement that the respondent may either pay the amount of the fine set forth in the citation or appeal the citation, as set forth herein, and that the respondent will forfeit the right to appeal the citation by failing to do either of these things within the allowable period;

- (d) An explanation of how to file an appeal, including an explanation of the respondent's right to have a hearing, to have a representative at the hearing, to request a transcript, and to request an interpreter; and
 - (e) A form of Notice of Appeal, and the form for requesting an interpreter.
- 2. *Citation: Response.* The respondent, within 20 days after the date of service of the citation, shall either remit payment of the full amount of the fine to CPSD, agree with CPSD on conditions for payment, or serve a Notice of Appeal upon CPSD. Upon request made to CPSD before the expiration of this deadline, the time to pay the fine or serve a Notice of Appeal may be extended by CPSD for a reasonable period not to exceed 30 days. CPSD may, in its discretion, grant one additional extension at the request of the respondent.
- 3. *Citation: Payment of fine; default.* If the respondent pays the full amount of the fine within the time allowed hereunder, the citation shall become final. If the respondent, within the time allowed pursuant to Paragraph 2, fails to pay the full amount of the fine or to file a Notice of Appeal, or if the respondent, having entered into an agreement with CPSD, fails to comply with any provision of that agreement, the respondent shall be in default, and the citation shall become final. In this event, the respondent shall have forfeited its right to appeal the citation, and CPSD shall immediately suspend the respondent's license. If the respondent fails to pay the full amount of the fine within 30 days thereafter, CPSD shall revoke the respondent's license, and may take any other action provided by law to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.
- 4. *Citation: Appeal.*
 - (a) The Chief Administrative Law Judge shall designate an Administrative Law Judge to hear appeals of citations.
 - (b) Appeals of citations shall be heard in the Commission's San Francisco or Los Angeles courtrooms on regularly scheduled days. Appeals shall be calendared accordingly, except that a particular matter may be recalendared at the direction of the designated Administrative Law Judge.
 - (c) The appeal shall be brought by serving a Notice of Appeal upon CPSD, and the respondent shall indicate the grounds for the appeal in the notice. CPSD shall promptly advise the Chief Administrative Law Judge upon receipt of a timely Notice of Appeal.
 - (d) Upon advice from CPSD that a citation has been appealed, the Chief Administrative Law Judge shall promptly forward the matter to the

designated Administrative Law Judge, who shall set the matter for hearing on the first Citation Calendar not less than 10 days after advice of the appeal is received from CPSD. The Administrative Law Judge may, for good cause shown or upon agreement of the parties, grant a reasonable continuance of the hearing.

- (e) The respondent may order a transcript of the hearing, and shall pay the cost of the transcript in accordance with the Commission's usual procedures.
 - (f) The respondent shall be entitled to the services of an interpreter at the Commission's expense upon written request to the Chief Administrative Law Judge not less than three business days prior to the date of the hearing.
 - (g) The respondent may be represented at the hearing by an attorney or other representative, but such representation shall be at the respondent's sole expense.
 - (h) At the hearing, CPSD shall open and close. The Administrative Law Judge may, in his or her discretion, alter the order of presentation. Formal rules of evidence do not apply, and all relevant and reliable evidence may be received in the discretion of the Administrative Law Judge.
 - (i) Ordinarily, the appeal shall be submitted at the close of the hearing. In the discretion of the Administrative Law Judge upon a showing of good cause, the record may be kept open for a reasonable period to permit a party to submit additional evidence or argument.
 - (j) The Administrative Law Judge shall issue an order resolving the appeal not later than 30 days after the appeal is submitted, and the order shall be placed on the first available agenda, consistent with the Commission's applicable rules.
 - (k) From the date that CPSD receives a Notice of Appeal to and including the date when the final order is issued, neither the respondent nor the investigator, or agent or other person on behalf of the respondent or investigator, may communicate regarding the appeal, orally or in writing, with a Commissioner, Commissioner's advisor, or Administrative Law Judge, except as expressly permitted under these procedures.
5. *New Operating Authority.* A carrier whose license has been revoked hereunder may apply for new operating authority upon paying the fine in full. The application shall document (1) full payment of the fine, (2) correction of all violations for which the carrier was cited, (3) actions the carrier proposes in

order to prevent future violations, and (4) any other evidence demonstrating the carrier's ability and commitment to conducting its proposed operations in compliance with statutes and Commission orders.

This resolution becomes effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting on September 22, 2005, the following Commissioners approving it:

/s/ STEVE LARSON

STEVE LARSON
Executive Director

MICHAEL R. PEEVEY
President

GEOFFREY F. BROWN

SUSAN P. KENNEDY

DIAN M. GRUENEICH

JOHN A. BOHN

Commissioners

Certificate Of Service

I certify that I have on this day served the following documents on

Jose Diego Lizcano Novoa
TCP/TNC Unlicensed Case # CSE-000611

1. Administrative Citation T.2025-07-008
2. Citation Compliance Agreement
3. Investigation Report and Attachments
4. Credit/Debit Card Authorization Form
5. How to File an Appeal
6. Notice of Appeal Form and Certificates of Service Form (from Resolution ALJ-377)
7. Resolution ALJ-187
8. Certificate of Service

Date: June 25, 2025



Alexander Nera
TEB Senior Enforcement Analyst