



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: ISS Action, Inc.
Attn: Chuck Swankosky

[REDACTED]
[REDACTED]

File #: TCP 39348 Z (Active)

Date: January 21, 2026

Citation #: T.26-01-018

Case #: CSE-000618

Agent for Service for Process

[REDACTED]
[REDACTED]

VIOLATIONS

You are hereby cited as having violated a section of the Public Utilities (Pub. Util.) Code as described below. These violations occurred during the period from October 23, 2023 through August 31, 2025.

- (1) Operated as a TCP after the expiration and during the suspension of its authority, in violation of Pub. Util. Code Section 5379. **[490 counts]**

STATEMENT OF FACTS

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

RESPONSE

The Transportation Enforcement Branch (TEB) of the California Public Utilities Commission (Commission) 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 February 12, 2026. By way of such answer, you may either:

- (1) Pay a fine of \$20,000 pursuant to Pub. Util. Code Section 5378. Submit your check or money order payable to California Public Utilities Commission 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 February 12, 2026, 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.

Lana Tran-Courney

Lana Tran-Courney, Program and Project Supervisor
California Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number: 415-385-5513
E-mail address: Lana.Tran-Courney@cpuc.ca.gov

Attachments



Public Utilities Commission

STATE OF CALIFORNIA

CITATION COMPLIANCE AGREEMENT

File #: TCP 39348 Z (Active)

Citation #T.2026-01-018

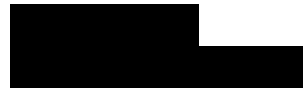
Date: January 21, 2026

Case #: CSE-000618

I (we) hereby agree to comply with this citation dated January 21, 2026, and herewith pay the fine of \$20,000.

ISS Action, Inc.

Attn: Chuck Swankosky



(Name)

(Signature)

(Title)

(Date)

Payment shall be submitted online via TCP Portal ([Welcome to TCP Portal \(ca.gov\)](https://www.cpuc.ca.gov/tcp-portal)) using a credit card or ACH.

Or

Payment (cashier 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: ISS Action, Inc.
California Secretary of State # 4044581 (Active)

OFFICERS: Pamela Blythe Newman, Chief Executive Officer, Chief Financial Officer, and Secretary

AUTHORITY: TCP 39348 Z (Active)

MAILING ADDRESS: [REDACTED]
[REDACTED]

AGENT FOR SERVICE OF PROCESS ADDRESS: Clark Gross
[REDACTED]
[REDACTED]

PHONE/EMAIL: [REDACTED]

VEHICLES: 14

EMPLOYEE-DRIVERS: 56

PL&PD INSURANCE: American Casualty Company of Reading, Pennsylvania (Primary) and The Continental Insurance Company (Excess)
Policy Numbers: [REDACTED] and [REDACTED]
Effective Dates: March 23, 2020

WORKERS' COMPENSATION INSURANCE: American Casualty Company of Reading, Pennsylvania
Policy Number: [REDACTED]
Effective Date: March 2, 2023

DRUG CONSORTIUM: Concentra Medical Compliance Administration

INTRODUCTION

On July 25, 2025, I was assigned to investigate the operations and practices of ISS Action, Inc. (hereinafter referred to as ISS Action) because of a referral from the Transportation Licensing and Analysis Branch (TLAB) of the California Public Utilities Commission (CPUC) alleging that ISS Action operated as a charter-party carrier (TCP) throughout 2024 without an active TCP authority.

HISTORY OF ENFORCEMENT

Prior Case (PSG-005303): On May 22, 2020 and July 21, 2020, Enforcement Analyst John E. McGuire issued ISS Action Cease and Desist (C&D) Notices **[Attachment 1]**. The Notices instructed the carrier to cease and desist providing and advertising passenger transportation services in California without obtaining authority from the CPUC **[Attachment 1]**.

VIOLATIONS

I investigated ISS Action for the period of October 23, 2023 to December 31, 2025 and found a violation of the following provision of the Public Utilities (Pub. Util.) Code:

- **Operated as a TCP after the expiration and during the suspension of its authority, in violation of Pub. Util. Code Section 5379. [490 counts]**

Pub. Util. Code 5379 states in part: “After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a charter-party carrier of passengers to conduct any operations as a carrier.”

ISS Action’s TCP Z permit expired on November 11, 2023 **[Attachment 2]**. TLAB’s records show that ISS Action applied for a TCP authority on November 27, 2024 and it was approved on February 19, 2025 **[Attachment 3]**.

In email communications between TLAB and Mr. Chuck Swankosky, Manager of ISS Action San Diego Sector, on July 7, 2025, Mr. Swankosky admitted that the carrier remained operational in 2024 while its authority had expired **[Attachment 4]**. In the email, Mr. Swankosky stated that the carrier discovered its authority had expired in November 2024 and immediately took steps to renew it **[Attachment 4]**. According to Mr. Swankosky, ISS Action

continued operating despite its expired authority to fulfill its federal government contractual obligations [Attachment 4].

On August 25, 2025, I emailed ISS Action a data request to gather information on the carrier's operations and practices [Attachment 5]. I emailed the data request to Mr. Swankosky's and ISS Action's official¹ email addresses: [REDACTED] and [REDACTED] [Attachment 5].

On October 7, 2025, in response to the data request, Mr. Swankosky provided a document that explained ISS Action's business model [Attachment 6]. According to the business model document, ISS Action provides security services. As part of those services, it provides secure transportation services under a federal contract exclusively for the U.S. Customs and Border Protection (CBP) [Attachment 6]. According to the document, ISS Action does not receive per-trip compensation for its transportation services. Instead, ISS Action provides CBP-authorized transportation services throughout a month and submits a monthly invoice to CBP [Attachment 6]. Per the business model document, invoices are typically processed and paid within 30 days [Attachment 6].

As part of the responses to the data request, on September 24, 2025, Mr. Swankosky provided an Excel spreadsheet that lists the transportation services ISS Action provided under the federal contract with CBP from November 1, 2023 to August 31, 2025 [Attachment 7]. For each transportation service trip, the spreadsheet has columns that indicate the trip identification number, date, driver's name, vehicle license plate number, total hours, rate per hour, and pick up and drop off cities or counties [Attachment 7].

As mentioned earlier, ISS Action's TCP Z permit expired on November 11, 2023 and the carrier did not receive a new permit until February 19, 2025 [Attachment 2 and 3]. The Excel spreadsheet provided by the carrier listing transportation service trip information indicates that under an expired authority, ISS Action operated for [REDACTED] days and provided [REDACTED] transportation services from [REDACTED] to [REDACTED] [Attachment 7 and Attachment 8, Table 2].

¹ The official email address listed on TLAB's records.

Further review of TLAB's records shows that the CPUC suspended ISS Action's TCP Z permit on October 23, 2023 for failure to pay quarterly Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees [Attachment 9]. The CPUC later reinstated the authority on November 6, 2023 [Attachment 10]. In addition, the CPUC suspended ISS Action's authority on August 13, 2025 for failure to submit Annual Workers' Compensation Report [Attachment 11] and subsequently reinstated the authority on September 15, 2025 [Attachments 12].

According to the transportation service trip information Excel spreadsheet provided by ISS Action, during the suspensions mentioned above, the carrier provided transportation services. During the suspension of authority that took effect on October 23, 2023, the Excel spreadsheet shows that ISS Action operated for [REDACTED] days and provided [REDACTED] transportation services from [REDACTED] to [REDACTED] [Attachment 7 and Attachment 8, Table 1]. For the suspension of authority that took effect on August 13, 2025, the spreadsheet indicates that the carrier operated for [REDACTED] days and provided [REDACTED] transportation services from [REDACTED] to [REDACTED] [Attachment 7 and Attachment 8, Table 3].

My investigation of ISS Action disclosed that the carrier operated under expired and suspended authority for a total of [REDACTED] days and provided a total of [REDACTED] transportation services [Attachment 7 and Attachment 8 Tables 1, 2, 3, and 4].

DECLARATION

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

Executed on January 21, 2026 at San Francisco, California.

_____ *Bezawit Dilgassa* _____

Bezawit Dilgassa, Enforcement Analyst

LIST OF ATTACHMENTS

- Attachment 1. May 22, 2020 and July 21, 2020 Cease and Desist Notices
- Attachment 2. Notice of Expiration of ISS Action Operating Authority, November 11, 2023
- Attachment 3. ISS Action TCP Authority Application Approval, February 19, 2025
- Attachment 4. Email Correspondence Between TLAB and ISS Action
- Attachment 5. Data Request 01 Issued to ISS Action on August 25, 2025
- Attachment 6. ISS Action Business Model Provided in Response to Data Request 01 on October 7, 2025
- Attachment 7. ISS Action Transportation Service Trip Information from November 1, 2023 to August 31, 2025
- Attachment 8. Tables Showing Number of Days ISS Action Operated Under Expired and Suspended Authority
- Attachment 9. CPUC Order of Suspension, October 23, 2023
- Attachment 10. CPUC Order of Reinstatement, November 6, 2023
- Attachment 11. CPUC Order of Suspension, August 13, 2025
- Attachment 12. CPUC Order of Reinstatement, September 15, 2025

Attachment 1
May 22, 2020 and July 21, 2020 Cease and Desist Notices

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
1350 Front Street, #4026
San Diego, CA 92101



File: TCP-None

Case: PSG 5303

May 22, 2020

ISS Action, Inc.
Attn: Clark Gross



RE: OPERATIONS WITHOUT OPERATING AUTHORITY

To ISS Action, Inc.:

The California Public Utilities Commission (CPUC) Consumer Protection and Enforcement Division (CPED) has received a complaint that you are providing intra-state transportation without valid authority from the Commission.

Public Utilities Code (PUC) Section 5371 states that no for-hire carrier of passengers may conduct transportation services unless they have obtained a valid permit from the Public Utilities Commission.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL UNLAWFUL OPERATIONS, INCLUDING ADVERTISING. ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR PUNISHABLE, IF INDIVIDUAL, BY A FINE OF NOT LESS THAN \$1,000 OR MORE THAN \$5000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO SIX MONTHS, OR BOTH, OR, IF A CORPORATION, BY A FINE OF NOT MORE THAN \$5000. (PUBLIC UTILITIES CODE SECTIONS 5411 AND 5414.5)

Your company is hereby placed on notice that violations of law without the required valid certificates may result in criminal prosecutions and possible termination of telephone service. **There will be no further warnings. Must cease and desist any California passenger operations and advertising until you have received operating authority from the Commission. Once you have received this letter, please call me at (619) 884-2500 to discuss this matter**

Sincerely,

JOHN E. MCGUIRE
Investigator, Badge 42

Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
1350 Front Street, #4026
San Diego, CA 92101



File: TCP-None
Case: PSG 5303

July 21, 2020

ISS Action, Inc.
Attn: Clark Gross



RE: OPERATIONS WITHOUT OPERATING AUTHORITY

To Clark Gross:

The California Public Utilities Commission (CPUC) Consumer Protection and Enforcement Division (CPED) has not received an application for a charter-party carrier "Z" permit from ISS Action, Inc.

Public Utilities Code (PUC) Section 5371 states that no for-hire carrier of passengers may conduct transportation services unless they have obtained a valid permit from the Public Utilities Commission.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL UNLAWFUL OPERATIONS, INCLUDING ADVERTISING. ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR PUNISHABLE, IF INDIVIDUAL, BY A FINE OF NOT LESS THAN \$1,000 OR MORE THAN \$5000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO SIX MONTHS, OR BOTH, OR, IF A CORPORATION, BY A FINE OF NOT MORE THAN \$5000. (PUBLIC UTILITIES CODE SECTIONS 5411 AND 5414.5)

Your company is hereby placed on notice that violations of law without the required valid certificates may result in criminal prosecutions and possible termination of telephone service. **There will be no further warnings. Must cease and desist any California passenger operations and advertising until you have received operating authority from the Commission. Once you have received this letter, please call me at (619) 884-2500 to discuss this matter**

Sincerely,

JOHN E. MCGUIRE
Investigator, Badge 42

Attachment 2

Notice of Expiration of ISS Action Operating Authority, November 11, 2023

STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: ISS ACTION, INC

PSG0039348

ATTN:ISS ACTION INC

TCP Z PERMIT

Notice of Expiration of Operating Authority

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter expired effective November 11, 2023.

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379)

Such unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code.

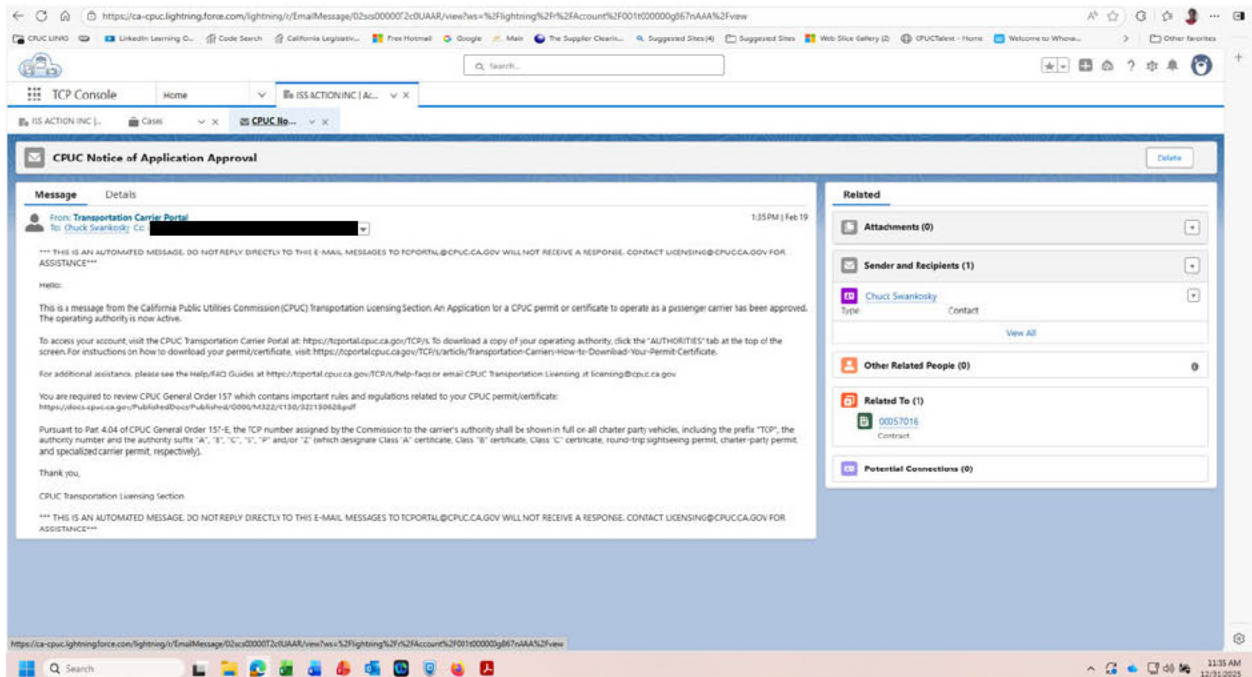
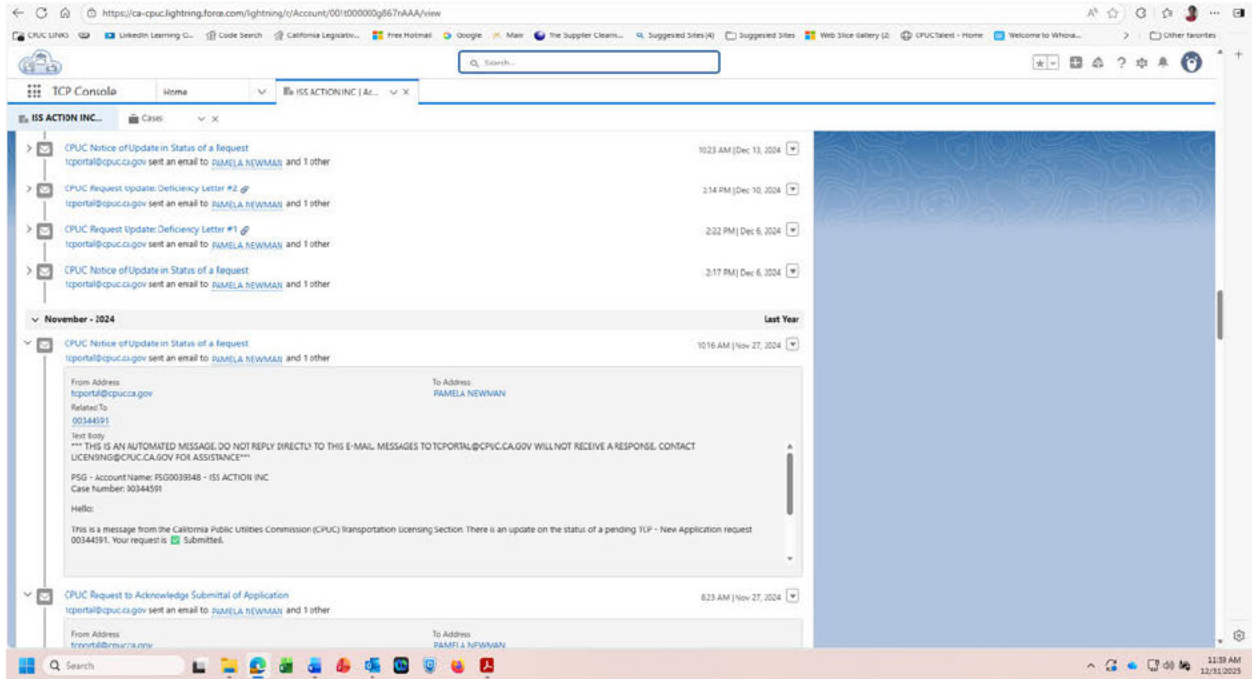
Date: Nov 11, 2023

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

Attachment 3

ISS Action TCP Authority Application Approval, February 19, 2025



https://ca-cpic.lightning.force.com/lightning/r/Case/500c800000Ker9TAAR/view?vs=1%2Fighting%2F%2FAccount%2F01000000g807nAAA%2Fview

CPUC LINKS | LinkedIn Learning C... | Code Search | California Legislativ... | Free Hotmail | Google | Mail | The Supplier Clear... | Suggested Sites(4) | Suggested Sites | Web Slice Gallery (2) | CPUC Talent - Home | Welcome to Whome... | Other favorites

TCPC Console | Home | ISS ACTION INC | 00344591

Case TCP - Refile

Case Number: 00344591 | Account Name: ISS ACTION INC | PSID#: PS60039340 | Status: Approved | Authority Status: Active | TEB Flag: N

Workflow: Draft | Submitted | Pending for Info | On Hold | In Process | Deficient | In Review | **Approved**

Related Items:

- List of Services & Drug L...
- Merged Cases (0)
- CHP Inspections (1)
- Case Authorities (1)
- Profile & Losses (1)
- Case Drivers (10+)
- TCP Payments (0)
- Case Equipment (10+)
- Case Comments (1)
- Case History (10+)
- Notes (0)
- Case Parties (1)
- Files (10+)
- CHP Inspection Terminal...
- Contact Roles (0)
- Activity History (10+)
- Case Info (TCP) (1)
- Contracts (1)

Show All (20)

Activity	Case Notes	Details	Payments	Files	Drivers	Equipment	Owners	Terminals	Audit Log	Related
Case Number		00344591								
Account Name		ISS ACTION INC								
Application Fee		\$1,000.00								
Contract		80057076								
Drug Test Result		078241111293								
Entity Type		Corporation								
Subject		TCP Z PERMIT								
Case Info		CaseInfo:137779								
Case Owner		Rui Xu								
Case Status Information										
Status		Approved								
Case Submit Date		11/27/2024 10:16 AM								
Resubmitted		No								
Projected Denial Date		3/6/2025 2:17 PM								
Case Re-Opened (Date/Time)										
Resubmitted Date										
Case Origin		Web								
Applicant Contact Information										
Contact Name		Chuck Swankosky								
Contact Phone		(805) 490-3155								

Available Actions

11:33 AM 12/31/2025

Attachment 4

Email Correspondence Between TLAB and ISS Action

From: Chuck Swartzlady [REDACTED]
Sent: Monday, July 1, 2025 3:40 PM
To: Licensing <licensing@cauc.ca.gov>
Subject: Re: [EXTERNAL] Center ID: F360835040 Audit of Reported PUCRA Revenue Note

CAUTION: This email is shared on outside of the organization. Do not click on attachments unless you receive the message and know the content is safe.

Good afternoon,

Yes, we remained operational in 2024. We discovered our PUC had been cancelled sometime in November and immediately began taking the steps necessary to get it renewed. We recognize that operating with a cancelled PUC is not standard protocol. However, due to binding obligations under our federal government contract, we have continued operations to uphold the terms of that agreement. Throughout this period, our team has remained fully committed to meeting all relevant compliance measures—including those aligned with CA PCU requirements. Additionally, our work is actively monitored by U.S. Border Patrol personnel, ensuring that federal standards and operational accountability are rigorously maintained.

Thank you for your assistance in this matter.

Kindest Regards,

Chuck Swartzlady
Sector Manager, San Diego
ISS Action
Certified MBE

PC: swartzlady@issaction.com



This e-mail message and any attachments are confidential to the addressee. If you are not the intended recipient, you are hereby notified that you have received this e-mail in error. If you are the intended recipient, please do not disclose the contents of this e-mail to any other person. If you are not the intended recipient, please do not disclose the contents of this e-mail to any other person.

On Thu, Jul 3, 2025 at 4:28 PM Licensing <licensing@cauc.ca.gov> wrote:

Greetings,

Please clarify if you were operating your charter service during 2024? We'll advise further based on your response.

Thank you,

Transportation Licensing and Analysis Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission (CPUC)

From: Chuck Swartzlady [REDACTED]
Sent: Thursday, July 3, 2025 2:23 PM
To: Licensing <licensing@cauc.ca.gov>
Cc: Newcomer, Paula [REDACTED] <Paula.Newcomer@cauc.ca.gov>; "Paula Newcomer" [REDACTED]
Subject: Fwd: [EXTERNAL] Center ID: F360835040 Audit of Reported PUCRA Revenue Note

CAUTION: This email is shared on outside of the organization. Do not click on attachments unless you receive the message and know the content is safe.

Good Morning,

We were referred to your department for assistance with some reporting concerns. Could you please review the email chain below and provide us with guidance on how best to proceed?

Thank you in advance for your support.

Kindest Regards,

Chuck Swartzlady
Sector Manager, San Diego
ISS Action
Certified MBE

----- Forwarded message -----
From: Fiscalia@fiscia.com
Sent: Thursday, July 3, 2025 10:15 AM
To: Fiscalia@fiscia.com
Cc: Veronika Forster, Mark G...
Subject: RE: [EXTERNAL] Carrier ID: F500000340 Audit of Reported PUCRA Revenue Info
To: Chuck Swankosky

Please contact our licensing department at licensing@puc.ca.gov. Licensing can further look into this issue and provide guidance on what steps to take next.

Thank you.

----- Forwarded message -----
From: Chuck Swankosky
Sent: Thursday, July 3, 2025 10:15 AM
To: Fiscalia@fiscia.com
Cc: Veronika Forster, Mark G...
Subject: RE: [EXTERNAL] Carrier ID: F500000340 Audit of Reported PUCRA Revenue Info

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your prompt response. I'm having trouble understanding how we could be so far behind, considering we had to reply for our PUC earlier this year. Our PUC was approved on February 19, 2025, and my understanding was that this would give us a fresh start and that reporting would begin under the new approval.

It appears you may be requesting that we "update" reports that have already been filed, had fee paid, and received approval. Could you please confirm if that is the case?

Thank you again for your assistance. I appreciate your time and guidance as we work through this matter. I look forward to your clarification so we can proceed accordingly.

Kindest Regards,
Chuck Swankosky
Sector Manager, San Diego
PUC Admin
PUC Admin

----- Forwarded message -----
From: Fiscalia@fiscia.com
Sent: Thursday, July 3, 2025 10:15 AM
To: Fiscalia@fiscia.com
Cc: Veronika Forster, Mark G...
Subject: RE: [EXTERNAL] Carrier ID: F500000340 Audit of Reported PUCRA Revenue Info

On Thu, Jul 3, 2025 at 10:14 AM Fiscalia@fiscia.com wrote:
Good morning.

I am writing to let you know that we have not filed any of our quarterly PUCRA reports for the year 2024 and missing 1st and 2nd PUCRA reports for the year 2025 (see a picture below). Carrier needs to file for these reports as soon as possible to avoid any action from CPUC. Please meeting with my management this afternoon, will get back to you with details to set up a meeting.

----- Forwarded message -----
From: Fiscalia@fiscia.com
Sent: Thursday, July 3, 2025 10:15 AM
To: Fiscalia@fiscia.com
Cc: Veronika Forster, Mark G...
Subject: RE: [EXTERNAL] Carrier ID: F500000340 Audit of Reported PUCRA Revenue Info

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Attached are screenshots from this morning's attempt to file the Q4 2024 report. According to the "To-Do" list on the first page, there are three outstanding reports that still need to be filed. However, when attempting to submit the Q4 2024 report, the website indicated that previous reports must be filed first.

I'm unclear on what is still outstanding, as we already entered our PUC application and was approved. As far as I understand, with the exception of the three outstanding filings (Q4 2024, Q1 2025 & Q2 2025) we should be up to date—except for the 2023 report, which remains under audit.

We've received notice that our PUC will be canceled effective July if we don't catch up on our filings. I'd appreciate the opportunity to set up a TRAM or ZOOM meeting soon to clarify these discrepancies and determine how to move forward.

Thank you for your attention to this matter. I look forward to resolving it together.

Kindest Regards,
Chuck Swankosky
Sector Manager, San Diego
PUC Admin
PUC Admin

----- Forwarded message -----
From: Fiscalia@fiscia.com
Sent: Thursday, July 3, 2025 10:15 AM
To: Fiscalia@fiscia.com
Cc: Veronika Forster, Mark G...
Subject: RE: [EXTERNAL] Carrier ID: F500000340 Audit of Reported PUCRA Revenue Info





Thank you.

From: Chuck Daniels [mailto:chuck.daniels@usdoj.gov]
Sent: Tuesday, July 2, 2023 12:37 AM
To: Paul Davis [mailto:paul.davis@usdoj.gov]
Subject: Re: [EXTERNAL] Case ID: P9200083 @ Audit of Registered UICRA Remittance Invoice

Thank you for your response. Is there any way we could set up a Teams or a Zoom call tomorrow at 9:00am PST? I have two other people from our company that I would like to be on the call with. Hopefully this is possible? We are willing to set it up on our end if that helps.

Kindred Regards,

Cheri Swartzky
Secur Manager San Diego
10100 ACORN
San Diego, CA 92123
Tel: 619-594-1000
Fax: 619-594-1001
E-Mail: cheri@swartzky.com
Web: www.swartzky.com

On Tue, Jul 1, 2025 at 10:13 AM Facebook's facebook@proton.me wrote:

Good morning,

I've understood that carrier wants to resolve this issue as soon as possible, sometimes cases like this take more time than usual due to complex reporting or revenue. We can schedule a phone call for tomorrow. Please let me know what time works the best for you and a phone number to reach you directly.

Thank you.

From: Chuck Swarcus [mailto:cs@cs.cmu.edu]
Sent: Tuesday, July 1, 2008 9:43 AM
To: Rousek, Eric [mailto:erousek@cs.cmu.edu]
Cc: Rousek, Eric [mailto:erousek@cs.cmu.edu]
Subject: Re: [BTRIAL] Center ID 75003546 Audit/9 Kapardik FUCTRA Keresembabak

Good Morning,

It appears we're starting to fall behind on our reporting. Before we can file Q1 2025, we need to submit the outstanding Q4 2024 report. We've also just received notice that Q1 2025 is due as well.

The 2023 audit took considerably more time to prepare and submit, and to our understanding, it's still awaiting a final determination. Moving forward, we are using the same model as the 2023 determination to help ensure the accuracy of all reports.

We wish to have Q4 2024 completion in a timely manner, followed by Q1 and Q2 filings in due succession.

Next Page(s).

Chuck Swerlosky
Sector Manager, San Diego
30 Nelson
checked 1991




The following information was reviewed and found to be accurate. It is not to be published, as it is not the subject of the report. The following information was reviewed and found to be accurate. It is not to be published, as it is not the subject of the report.

On Mon, Jun 20, 2023 at 10:27 AM Francisco <francisco@riscv.org> wrote:

Hello,

I will get back to you soon with an answer.

Thank you.

From: Chuck Swankosky
Sent: Friday, June 27, 2025 9:56 AM
To: Revenue@PACTRA.com
Cc: Vanessa Foster
Subject: [EXTERNAL] Carrier ID: P50000040 Audit of Reported PACTRA Revenue 18-02

CAUTION: This email and any attachments are confidential. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

We received the below email inquiring about revenue discrepancies. We were wondering if we could set up a conference call to further discuss this and get additional clarification?

We are striving to ensure we accurately report revenue and would appreciate your assistance with this matter.

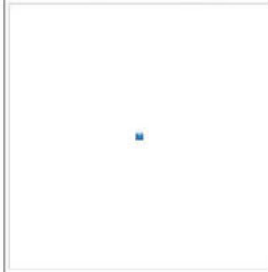
Please let us know if a conference call is feasible.

Thank you for your time and consideration.

From: **FirstAudit** <Revenue@firstaudit.com>
Date: Fri, Jun 20, 2025 at 6:12 PM
Subject: RE: [EXTERNAL] Carrier ID: P50000040 Audit of Reported PACTRA Revenue
To: Mark Carlin

Hello,

Please explain where did the revenue stated in yellow highlighted cells came from (please see a picture below), can you provide backup documents or proof? If this is revenue generated from small vehicles, then why are quarterly PACTRA reported revenue number for this year 2023 are different than highlighted figures in the picture below.



Kindest Regards,

Chuck Swankosky
Sector Manager, San Diego
IRS Auditor
[Redacted]

VP, Revenue@PACTRA.com



This email and any attachments are confidential. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are not the intended recipient, please notify the sender immediately by email. If you have received this email in error, please do not print, copy, retransmit, or otherwise use the information contained herein. If you have received this email in error, please do not print, copy, retransmit, or otherwise use the information contained herein. If you have received this email in error, please do not print, copy, retransmit, or otherwise use the information contained herein.

Attachment 5
Data Request 01 Issued to ISS Action on August 25, 2025

From: [Dilgassa, Bezawit](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: CPUC Data Request Due September 9, 2025
Date: Monday, August 25, 2025 11:49:00 AM
Attachments: [CSE-618 ISS Action, Inc. Data Request 01.pdf](#)
[GO 157-E.pdf](#)
Importance: High

Good morning Mr. Swankosky,

The Transportation Enforcement Branch of the California Public Utilities Commission (CPUC) requests the documents and information detailed in the attached data request by **September 9, 2025**.

If you need an extension or if you have questions, please reach out to me. My contact information is provided below.

You will also find attached the CPUC's General Order 157-E that governs the Operations of Charter-Party Carriers of Passengers.

Thank you!

Sincerely,

Bezawit Dilgassa
Public Utilities Regulatory Analyst V

Consumer Protection and Enforcement Division
California Public Utilities Commission
415-792-3269 | Bezawit.Dilgassa@cpuc.ca.gov
www.cpuc.ca.gov

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 25, 2025

TCP: 39348 Z (Suspended)

Case No.: CSE-618

ISS Action, Inc.
[REDACTED]

Attn: Chuck Swankosky

Sent Via Email: [REDACTED]

Subject: Data Request - 01

Dear Mr. Swankosky:

The Transportation Enforcement Branch (TEB) of the California Public Utilities Commission (Commission) is currently reviewing the Commission's records for intrastate transportation carriers that are regulated by the Commission.

Public Utilities Code (PU Code) Section 5389 authorizes the Commission and its staff to have access at any time to the land, buildings, or equipment of a charter-party carrier used in connection with the operation of its business and may inspect the accounts, books, papers, and documents of the carrier.

General Order (GO) 157-E, Part 6.01 specifically states in part that every carrier shall institute and maintain in its offices a set of records which reflect information as to the transportation services performed, including waybills, driver records, and safety and maintenance records including copies of all lease and sub-carrier agreements. Such records shall be maintained for a minimum period of three years.

Pursuant to PU Code Section 5389, TEB requests to review ISS Action, Inc.'s (ISS Action) charter-party carrier intrastate transportation records. Failure to provide access to records is a misdemeanor, punishable by a maximum of \$5,000, where each violation is a separate and distinct offense (PU Code Section 2110).

Attachment 6

ISS Action Business Model Provided in Response to Data Request 01 on October 7, 2025

From: [Chuck Swankosky](#)
To: [Dileessa, Benawit](#)
Subject: Re: [EXTERNAL] Re: CPUC Data Request Due September 9, 2025
Date: Tuesday, October 7, 2025 7:48:33 AM
Attachments: [ISS ACTION Business Model CPUC Response.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

This email addresses the following requested information: responses to Questions 1, 2 (if possible, or an explanation if not), 5, 7, and 8.

- **Item 1:** Please see the attached document.
- **Item 2:** ISS Action, Inc. has been contracted exclusively by the Federal Government during the requested period of [REDACTED] to [REDACTED]
- **Item 5:** No sub-carrier agreements have been in effect during the period from [REDACTED] to [REDACTED]
- **Item 7:** ISS Action, Inc. is the only business name used.
- **Item 8:** The total number of intrastate transportation services (trips) provided or completed by ISS Action, Inc. from [REDACTED] to [REDACTED] is [REDACTED]
This includes:
 - SDC trips: [REDACTED]
 - ELC trips: [REDACTED]

Please let me know if you need any additional information.

Kindest Regards,

Chuck Swankosky
Sector Manager, San Diego
ISS Action
Certified WBE
[REDACTED]

W: www.issaction.com



This transmittal may contain confidential information intended solely for the addressee. If you are not the intended recipient, you are hereby notified that you have received this transmittal in error, any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify the sender immediately by reply or by telephone and ask to speak with the message sender. In



ISS ACTION, INC.
The Golden Standard of Security

www.issaction.com

DATE: October 2, 2025

RE: Response to Request for Information - Charter-Party Transportation Service Business Model

Dear [Recipient],

Thank you for your inquiry regarding ISS Action's charter-party transportation service business model. We appreciate the opportunity to provide detailed information about how our transportation services are structured, authorized, and compensated.

• IMPORTANT CLARIFICATION REGARDING OUR BUSINESS MODEL

We would like to clarify at the outset that ISS Action does **not** operate as a traditional charter-party transportation company in the conventional passenger service sense.

What We Are NOT:

- **Not a Traditional Passenger Charter Service** – We do not provide commercial charter bus services, tour buses, airport shuttles, party buses, limousine services, wedding transportation, or general public charter services.
- **Not a Common Carrier** – We do not operate fixed-route services or provide transportation to the general public.

What We ARE: ISS Action is primarily a **security services provider** with specialized transportation capabilities under federal government contracts. Our "Charter-Party Carrier" designation is a regulatory classification that enables us to deliver secure,

mission-specific transport services exclusively for U.S. Customs & Border Protection (CBP), including:

- **Secure transport operations in support of CBP missions**

These transportation services are an extension of our core security operations and are conducted under strict federal guidelines, with trained personnel and enhanced safety protocols that distinguish our work from commercial passenger transportation.

- **COMPANY OVERVIEW**

ISS Action, Inc. is a woman-owned small business founded in 1991, specializing in comprehensive security services for federal, state, and local government clients. We are an 8(a) graduated company with over 25 years of experience in government security contracting, certified by multiple federal and state agencies.

Core Business Focus:

- **Primary Business: Security Services (85%)**
 - Armed and unarmed security personnel
 - Federal facility protection
 - Access control and perimeter monitoring
 - Crisis and risk mitigation
 - Emergency response coordination
 - Investigative services
 - Mobile patrol operations
- **Secondary Business: CBP Transportation Services (15%)**
 - Secure, contract-based transport in support of CBP operations

A. ARRANGEMENT AND DOCUMENTATION OF CBP TRANSPORTATION SERVICES

1. How CBP Transportation Services Are Arranged

Our transportation services are arranged exclusively through federal procurement channels:

1. **CBP Solicitation Process**
 - CBP posts Requests for Proposal (RFP) on SAM.gov

- Requirements include personnel clearances, security-trained staff, and operational protocols
- Only qualified security contractors may submit proposals

2. Proposal Submission

- ISS Action submits a technical proposal highlighting security expertise
- Includes past performance, personnel credentials, and cost analysis

3. Contract Award

- Multi-year contract awarded by CBP
- Statement of Work (SOW) outlines operational expectations
- Payment terms and performance standards specified
- Task orders issued for specific transport assignments

Key Authorization Requirements:

- USDOT Number (3406178)
- State Armed Guard Licenses
- CBP Public Trust & Suitability Clearances
- CDL with passenger endorsements
- Specialized vehicles equipped for secure transport

2. How CBP Transportation Services Are Documented

Pre-Transport:

- CBP Task Order Authorization - CBP approval for specific transport mission
- Personnel clearance verification - Current CBP clearance status for all personnel
- Vehicle inspection for safety and communication equipment
- Mission briefing including route planning and contingency protocols

During Transport:

- Accountability documentation from origin to destination
- Transfer records at designated CBP handoff points
- GPS tracking with time/location logs
- Incident reporting per CBP standards

Post-Transport:

- Delivery confirmation at receiving CBP facility
- Final transfer documentation
- Property verification to ensure all items are accounted for
- Performance reporting for contract compliance

Key Distinction: Unlike commercial charter services that focus on passenger manifests and fare collection, our documentation emphasizes federal security standards, operational accountability, and contract oversight.

B. PAYMENT COLLECTION AND DOCUMENTATION FOR CBP CONTRACT**1. How CBP Payment Works – Simplified Overview**

CBP Payment Structure: ISS Action receives compensation exclusively through federal government contracts with CBP. We do not collect payment from individuals, nor do we operate on a per-trip or fare-based model.

Simple Explanation:

- We perform CBP-authorized transport missions throughout the month
- We submit a single monthly invoice for all services rendered
- CBP reviews and processes payment within 5–15 business days
- Funds are deposited directly via electronic transfer

What We ARE Paid:

- ✓ Pre-negotiated labor rates as defined in the CBP contract

What We Are NOT Paid:

- ✗ Per-passenger fares
- ✗ Credit card or cash payments
- ✗ Individual checks
- ✗ Mileage-based charges
- ✗ Gratuities or tips

2. Monthly CBP Payment Process – Step by Step

STEP 1: Perform CBP-Authorized Services (Throughout the Month)

STEP 2: Prepare Monthly Invoice + Performance Metrics Report

STEP 3: Submit Invoice via IPP (Invoice Processing Platform)

STEP 4: CBP Review Period (10–15 business days)

STEP 5: Payment Issued via EFT (Typically within 30 days)

3. CBP Performance Metrics Reports – Required Documentation

Each month, ISS Action prepares a detailed performance report to accompany our invoice. This report is essential for payment approval and contract compliance.

Report Contents:

- Total number of CBP transport missions completed
- Total individuals transported
- Total officer hours logged
- Breakdown by mission type (e.g., facility transfer, court appearance)

Report Delivery:

- Uploaded to IPP with invoice
- Emailed to CBP Contracting Officer's Representative (COR)
- Retained in internal contract files

- Used for quarterly performance evaluations

Why It Matters:

- Required for invoice approval
- Demonstrates contract compliance
- Supports contract renewal and performance reviews
- Identifies operational improvement areas

4. Payment Documentation Maintained by ISS Action

Daily Records:

- Timecards for personnel assigned to CBP missions
- Mission logs detailing transport activities
- Daily performance summaries

Monthly Records:

- Submitted invoices with IPP confirmation
- Master copies of performance reports
- Payment confirmations and deposit records
- Accounts receivable tracking
- IPP status logs and correspondence

Quarterly Records:

- Trend analysis and performance comparisons
- Budget vs. expenditure tracking
- Forecasting and planning documentation

Annual Records:

- Full cost reports for CBP contract
- Annual performance summaries
- Indirect cost rate calculations
- Financial statements and tax filings

- CPARS evaluations and compliance documentation

Audit-Ready Files:

- Retained for a minimum of 7 years
- Organized by contract and fiscal year
- Backed up electronically and physically
- Accessible for government audit
- Cross-referenced with IPP submissions

5. Simple Payment Summary for CBP Contract

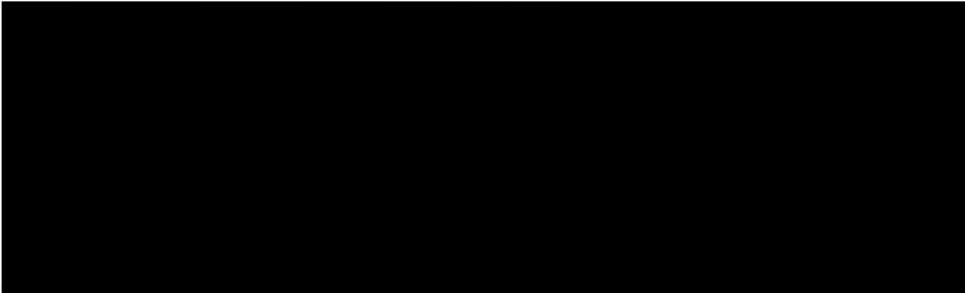
- **How It's Different from Commercial Business:**

Commercial Charter Company	ISS Action CBP Contract
Customer books trip and pays	CBP issues task order for transport
Payment at time of service	Monthly invoicing cycle via IPP
Credit card or check	Electronic CBP payment through IPP
Receive payment in 1-3 days	Receive payment in 30 days
Simple receipt	Complex invoice with Performance Metrics Report
Revenue per trip	Revenue per CBP contract
Customer satisfaction survey	CBP Performance Metrics Report required

Bottom Line:

- Long-term federal contract with CBP
- Pre-negotiated rates covering labor, vehicles, equipment, admin, and profit
- Monthly billing via IPP
- Performance documentation required for payment

- Electronic funds transfer from CBP
- Transparent tracking and recordkeeping



C. KEY OPERATIONAL POINTS FOR CBP CONTRACT

• 1. Who We Serve

Exclusive Client:

- U.S. Customs and Border Protection (CBP)

We Do NOT Serve:

- Private individuals
- Businesses or corporations
- Event planners or tour groups
- General public

2. What Makes Our CBP Service Different

Security First, Transportation Second:

- All personnel are trained security professionals
- CBP clearances required for all staff
- Vehicles configured for secure transport—not public comfort
- Mission focus is safety, accountability, and reliability
- 24/7 operational readiness
- Integrated performance tracking

CBP Contract Expertise:

- 30+ years in federal contracting
- Woman-Owned Small Business designation
- Proven performance with CBP
- Familiarity with IPP and federal payment systems
- Advanced reporting capabilities

3. Success Metrics – From Our CBP Performance Reports

Summary – Our CBP Transportation Business Model: ISS Action is a federal security contractor providing secure, contract-based transportation exclusively for CBP. We are not a commercial charter company. Our charter-party designation is regulatory—not descriptive of our business model.

Key Points:

1. Exclusive service to CBP
2. Transportation is a specialized extension of our security operations
3. Payment via federal contract—not per trip
4. Monthly billing through IPP
5. Performance documentation required
6. Staff are security professionals—not commercial drivers
7. Mission focus is secure transport—not passenger amenities

How Our CBP Business Actually Works:

- CBP identifies secure transport need ↓
- CBP issues contract solicitation ↓
- ISS Action awarded contract based on qualifications ↓
- We perform secure transport missions ↓
- We compile monthly performance data ↓
- We submit invoice + metrics via IPP ↓
- CBP reviews and approves payment ↓

- Payment issued via EFT ↓
- Contract renewal based on performance

We trust this explanation clarifies ISS Action's specialized CBP transportation business model, including our use of the Invoice Processing Platform (IPP) and Performance Metrics Reports for payment processing and quality documentation.

For additional information about our **CBP transportation capabilities**, please contact us.

Respectfully submitted,

Vernon Foster
Corporate Program Manager
ISS Action, Inc.

Contact Information:

Phone: [REDACTED]

Email: [REDACTED]

Website: www.issaction.com

USDOT Number: [REDACTED]

Attachment 7

**ISS Action Transportation Service Trip Information from [REDACTED] to [REDACTED]
[REDACTED]**

[illegible]

[illegible]

Attachment 8

Tables Showing Number of Days ISS Action Operated Under Expired and Suspended Authority

Table 1: ISS Action Transportation Service from [REDACTED] to [REDACTED]

No.	Dates of Operation	Number of Transportation Service Trips
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Total	[REDACTED] Days	[REDACTED] Trips

Table 2: ISS Action Transportation Service from [REDACTED] to [REDACTED]

No.	Dates of Operation	Number of Transportation Service Trips
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED] to [REDACTED]		[REDACTED] Days	[REDACTED] Trips
Total		[REDACTED] Days	[REDACTED] Trips

Attachment 9
CPUC Order of Suspension, October 23, 2023

STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: ISS ACTION, INC

PSG0039348

ATTN:ISS ACTION INC

TCP Z PERMIT

CPUC Order of Suspension

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter is suspended effective **October 23, 2023**.

Failure to pay quarterly fees (PUCTRA) Q2 2023

Unless the suspension was requested voluntarily, if the reason(s) for the suspension are not resolved within 90 days, on **January 21, 2024**, the operating authority will be revoked. Voluntary suspensions may stay in effect without becoming revoked until the operating authority expires.

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

A carrier whose certificate or permit is suspended due to failing to pass a vehicle inspection by the California Highway Patrol (CHP) (California Public Utilities Code § 5378.5, Commission Resolution TL-18336) may obtain a reinspection of its terminal and vehicles by the CHP by submitting a written request for reinstatement to CPUC and paying a reinstatement fee of one thousand dollars (\$1,000). (California Public Utilities Code § 5378.5(b)). Upon receipt of a written recommendation from CHP to suspend a carrier's operating authority, a carrier may request a hearing of the suspension by making a written request to CPUC and the CHP showing cause why the suspension should not be continued.

If your suspension is due to failing to maintain adequate insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Oct 23, 2023

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA
licensing@cpuc.ca.gov

Attachment 10
CPUC Order of Reinstatement, November 6, 2023

STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR

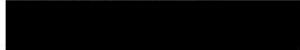
PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: ISS ACTION, INC

PSG0039348

ATTN:ISS ACTION INC



TCP Z PERMIT

Order of Reinstatement

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter has been reinstated effective November 06, 2023.

Date: Nov 06, 2023

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

Attachment 11
CPUC Order of Suspension, August 13, 2025

STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: ISS ACTION, INC

PSG0039348

ATTN:ISS ACTION INC

CPUC Order of Suspension

This is notice from the California Public Utilities Commission (CPUC) that the TCP Z PERMIT listed on this letter is suspended.

The table below lists the reason(s) for suspension; the effective date of the suspension(s); and the date the permit/certificate will be revoked if the reason(s) for suspension are not resolved.

<u>Suspension Reasons</u>		
Reason	Suspension Date	Revocation Date
Failure to Submit Annual Workers' Compensation Report (Pub. Util. Code § 5374.6)	August 13, 2025	November 11, 2025

While voluntary suspensions may stay in effect until the permit or certificate expires, it may be revoked sooner for other reasons including failing to pay transportation user fees (PUCTRA) or failing to submit your annual CHP terminal safety inspection request(s).

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

A carrier whose certificate or permit is suspended due to failing to pass a vehicle inspection by the California Highway Patrol (CHP) (California Public Utilities Code § 5378.5, Commission Resolution TL-18336) may obtain a reinspection of its terminal and vehicles by the CHP by submitting a written request for reinstatement to CPUC and paying a reinstatement fee of one thousand dollars (\$1,000). (California Public Utilities Code § 5378.5(b)). Upon receipt of a written recommendation from CHP to suspend a carrier's operating authority, a carrier may request a hearing of the suspension by making a written request to CPUC and the CHP showing cause why the suspension should not be continued.

If your suspension is due to failing to maintain insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Aug 13, 2025

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

Attachment 12
CPUC Order of Reinstatement, September 15, 2025

STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco, CA 94102-3298



DBA: ISS ACTION, INC

PSG0039348

ATTN:ISS ACTION INC



TCP Z PERMIT

Order of Reinstatement

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter has been reinstated effective **September 15, 2025**.

Date: Sep 15, 2025

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

licensing@cpuc.ca.gov

CERTIFICATE OF SERVICE

I certify that on this date, I have served the following documents on ISS Action, Inc., TCP 39348 Z, Case: CSE-000618

1. Administrative Citation T.26-01-018 dated January 21, 2026
2. Investigation Report and Attachments
3. Citation Compliance Agreement
4. How to File an Appeal
5. *Notice of Appeal Form* and *Certificates of Service Form* (from Resolution ALJ-377)
6. Resolution ALJ-187
7. Certificate of Service

Date: January 21, 2026

Bezawit Dilgassa

Bezawit Dilgassa
Enforcement Analyst

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.

**See Next Page for
Notice of Appeal Form**

****(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

**See Next Page for
Certificate of Service Form
For Electronic Filings**

****(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.)

CREDIT OR DEBIT CARD AUTHORIZATION

I _____

hereby authorize the California Public Utilities Commission to deduct

\$ _____ from my VISA or Mastercard.

Card Number _____ Expiration Date _____.

Cardholder Authorized Signature

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. **Douglas Ito, Director CPED**, Douglas.Ito@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. **Douglas Ito, 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

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

R E S O L U T I O N

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