

CALIFORNIA PUBLIC UTILITIES COMMISSION

Utility Enforcement Branch

Enforcement Actions, 2004 through 2018

Decision/ Case Number	Utility	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Description
Total Restitutions and Fines from 2004 through 2018		\$ 107,426,172	\$ 236,177,042	\$ 356,103,215	
2018					
Citation No. E-4195-40	Just Energy Solutions, Inc.	\$ 33,300.00		\$ 33,300	This violation is for a deficiency cured four business days after the revised filing due date.
Citation No. E-4195-41	American PowerNet Management, LP	\$ 10,000.00		\$ 10,000	This violation is for a deficiency cured within 5 days of the revised filing due date
Citation No. E-4195-42	Pilot Power Group, Inc.	\$ 100,709.20	\$ -	\$ 100,709	This violation is for a deficiency cured within five business days from the date of notification and for a deficiency cured four business days after the revised filing due date.
Citation No. E-4195-43	Just Direct Energy Business, LLC	\$ 5,000.00		\$ 5,000	This violation is for a deficiency cured within five business days from the date of notification by ED
Res T-17596	Budget PrePay Inc.	\$ 1,121,013.00		\$ 1,121,013	California LifeLine Program overpayment to Budget Pre-pay in the amount of \$1,121,013.10. Budget must comply with the ongoing audit being conducted by the SCO. Of \$1,121,013.10, Budget will make a payment of \$817,730.00 to the California LifeLine fund. The remainder amount of \$303,283.10 will be deducted from Budget's filed claims from February through July 2017.
E-4195-0044	Just Energy Solutions, Inc.	\$ 10,000.00		\$ 10,000	This violation is for a deficiency cured within five business days from the date of notification by Energy Division
E-4195-0045	Just Energy Solutions, Inc.	\$ 5,328.00		\$ 5,328	This violation is for a Resource Adequacy deficiency that was either not remedied at all or remedied after five business days from the date of notification by the Energy Division
E-4195-0046	Pioneer Community Energy	\$ 1,305,360.00		\$ 1,305,360	This violation is for a Resource Adequacy deficiency that was either not remedied at all or remedied after five business days from the date of notification by the Energy Division
E-4195-0047	Just Energy Solutions, Inc.	\$ 4,861.80		\$ 4,862	This violation is for a Resource Adequacy deficiency that was either not remedied at all or remedied after five business days from the date of notification by the Energy Division
E-4195-0048	Pioneer Community Energy	\$ 1,118,880.00		\$ 1,118,880	This violation is for a Resource Adequacy deficiency that was either not remedied at all or remedied after five business days from the date of notification by the Energy Division
Slamming Citation No. 1308-1426	TC Telephone, LLC	\$ 119,000.00		\$ 119,000	Pursuant to Resolutions UEB-001 and UEB-002, CPED issued 119 citations against TC Telephone for failure to comply with the Third-Party Verification (TPV) requirements in Public Utilities Code Section 2889.5 and/or Code of Federal Regulations (47 CFR 64.1120(c)(3)(iii)).
D.18-09-025	NetFortris	\$ 300,000.00		\$ 300,000	Commission adopted settlement agreement between CPED and NetFortris to resolve all issues in this investigative proceeding. The decision directs NetFortris to pay \$300,000 in penalty and implement other corrective measures.
2018 Total:		\$ 4,133,452	\$ -	\$ 4,133,452	

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2017					
D.17-03-004	M5 Networks. LLC	\$ 20,000.00	\$ -	\$ 20,000	M5 Networks shall pay a penalty of \$20,000 for operating without authority pursuant to PU Code Section 2107
D.17-03-005	SP Licenses, Inc.	\$ 6,000.00	\$ -	\$ 6,000	SP Licenses must pay a penalty of \$6,000 for Rule 1.1 violation.
Slamming Citation No. 730- 896	Onelink Communications, Inc.	\$ 167,000.00	\$ -	\$ 167,000	Pursuant to Resolutions UEB-001 and UEB-002, SED issued 167 citations against Onelink Communications for failure to comply with the Third-Party Verification (TPV) requirements in Public Utilities Code Section 2889.5 and/or Code of Federal Regulations (47 CFR 64.1120(c)(3)(iii)).
E-4195-0034	Commercial Energy of CA	\$ 4,500.00	\$ -	\$ 4,500	Commercial Energy was fined \$4,500 for failure to file a month-ahead system resource adequacy compliance filing at the time and manner required.
CEQA Citation No. E 4550-01	Southern California Gas Company	\$ 250,000.00	\$ 25,000.00	\$ 275,000	CEQA citation issued to Southern California Gas Company for "Failure to comply with mitigation measures outlined in the Final Environmental Impact Report (FEIR) included in the projects' Permit to Construct (PTC)." Based on the length of the BMP deficiencies committed by SCG, the corresponding fine that should be assessed is \$699,500.
Res T-17570	Lycamobile USA, Inc	\$ 10,000.00	\$ -	\$ 10,000	Lycamobile shall pay a penalty of \$20,000 for operating without authority pursuant to PU Code Section 2107
Slamming Citation No. 897- 1307	Quasar Communications	\$ 411,000.00	\$ -	\$ 411,000	Pursuant to Resolutions UEB-001 and UEB-002, SED issued 411 citations against Quasar Communications for failure to comply with the Third-Party Verification (TPV) requirements in Public Utilities Code Section 2889.5 and/or Code of Federal Regulations (47 CFR 64.1120(c)(3)(iii)).
D.17-09-002	Comnet	\$ 20,000.00	\$ -	\$ 20,000	ComNet (USA), LLC shall pay a penalty of \$20,000 for operating without authority pursuant to Public Utilities Code Section 2107
Res T-17571	Republic Wireless	\$ 88,483.00	\$ -	\$ 88,483	Republic Wireless must pay \$74,619.26 for past due surcharges, \$3,863.33 for past due user fees, and a \$10,000 fine for operating without authority in accordance with PU Code § 2107.
E-4195-0035	CleanPowerSF	\$ 10,000.00	\$ -	\$ 10,000	Resource Adequacy citation issued to CleanPowerSF for an "RA Deficiency cured within five business days from the date of notification by Energy Division."
E-4195-0036	Southern California Edison Company	\$ 10,000.00	\$ -	\$ 10,000	Resource Adequacy citation issued to Southern California Edison Company for an "RA Deficiency cured within five business days from the date of notification by Energy Division."
E-4195-0037	Direct Energy Business, LLC	\$ 113,153.40	\$ -	\$ 113,153	Direct Energy Business was cited 113,153.40 for a deficiency that was remedied 13 business days after the date of Energy Division's deficiency notice.
E-4195-0038	Tiger Natural Gas	\$ 2,000.00	\$ -	\$ 2,000	Tiger Natural Gas was cited for \$2,000 for failure to file a Month-Ahead System Resource Adequacy Compliance Filing at the time and manner required.
E-4195-0039	Commercial Energy of Montana	\$ 10,456.00	\$ -	\$ 10,456	Commercial Energy of Montana, Inc. was cited for deficiency remedied after five business days from the date of Energy Division notification or not remedied at all.
2017 Total:		\$ 1,122,592	\$ 25,000	\$ 1,147,592	

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2016					
D.16-12-002	llatanet, LLC	\$ 228,000		\$ 228,000	llatanet, LLC, ordered to pay a fine of \$228,000 to the California Public Utilities Commission
D.16-10-030	Granite Telecommunications, LLC	\$ 15,000	\$ -	\$ 15,000	Pursuant to the terms of the Settlement Agreement, Granite shall pay a \$15,000 penalty to the State of California General Fund within thirty (30) calendar days after the effective date of this decision.
D.16-09-048	TC Telephone LLC, dba, Horizon Cellular	\$ 200,000	\$ -	\$ 200,000	T C Telephone LLC, doing business as, Horizon Cellular, must pay a \$200,000 penalty to the State of CA General Fund
RA Citation No. E-4195-33	Shell Energy North America (SENA)	\$ 5,500	\$ -	\$ 5,500	SENA is being cited \$5,500 for failure to meet its Resource Adequacy ("RA") obligation for July 2016.
D.16-08-012	Global Calling Corporation	\$ 30,000	\$ -	\$ 30,000	Pursuant to the terms of the Settlement Agreement, Global Calling Corporation (Global Calling) shall pay a penalty in the amount of \$30,000.
D.16-08-009	Velocity The Greatest Phone Company Ever, Inc. (Velocity)	\$ 70,000	\$ -	\$ 70,000	In accordance with the Settlement Agreement, Velocity The Greatest Phone Company Ever, Inc. (Velocity) shall pay the entire penalty amount of \$70,000 to the CPUC for violation of Rule 1.1.
D.16-08-007	Quality Speaks LLC dba Broadvoice	\$ 40,866	\$ -	\$ 40,866	Pursuant to the terms of the Settlement Agreement, Quality Speaks LLC dba Broadvoice shall pay retroactive state - mandated public purpose program surcharges and the associated interest penalty in the sum of \$40,866.16
D.16-07-005	Angel Americas, LLC	\$ -		\$ -	Since Angel Americas has failed to respond as required by the Commission, we do not have sufficient information on its operations and financial condition to assess an appropriate penalty. SED is directed to initiate enforcement actions if Applicant is continuing to operate in California without proper authority.
D.16-06-020	Silicon Business System (SBS)	\$ 20,250		\$ 20,250	Silicon Business System (SBS) shall pay a total penalty of \$20,000. Silicon Business System shall submit surcharge reports to the Communication's Division and pay user fees and interest for 2013 and 2014 totaling \$250.
D.16-06-009	Vertex Telecom	\$ 17,500	\$ -	\$ 17,500	Vertex Telecom, Inc. (Vertex) shall comply with all terms of the Settlement Agreement. Specifically, Vertex shall pay a penalty of \$17,500 to the State of California General Fund pursuant to the Settlement Agreement
D.16-04-018	NobelTel	\$ 146,500	\$ -	\$ 146,500	The Commission adopted D.16-04-018 denying NobelTel's application for a certificate of public convenience and necessity and assessing a fine of \$146,500 for operating without a license.
D.16-04-024	WorldVox Corporation	\$ 13,500	\$ -	\$ 13,500	The Commission adopted a joint settlement between SED and WorldVox in D.16-04-024 conditionally granting a CPCN to WorldVox and ordered WorldVox to pay \$13,000 in penalties.
RA Citation No. E-4195-32	Glacial Energy Of California	\$ 5,000	\$ -	\$ 5,000	Glacial Energy of California (Glacial) failed to meet its Resource Adequacy (RA) obligation for March 2016. Glacial was deficient with their March 2016 month-ahead RA by 0.72 Megawatts (MW). After receiving a deficiency notice from the Energy Division on February 5, 2016, Glacial cured its deficiency and resubmitted its March 2016 filing to ED on February 10, 2016. The scheduled penalty prescribed by Resolution E-4195 specifies penalties for deficiencies cured within five business days from the date of notification by the ED with a prescribed penalty of \$5,000 per incident if the deficiency is 10 MW or smaller. Glacial's revised filing cured a deficiency of 0.72 MW within five business days from the date of notification by ED. The fine for this violation is \$5,000.
D.16-03-012	OSP	\$ 362,918	\$ -	\$ 362,918	The Billing Resource LLC, a billing agent used by OSP for billing and collection services, shall make a payment of \$362,917 to the California Public Utilities Commission under a joint settlement agreement.
RA Citation No. E-4195-31	Tiger Natural Energy	\$ 3,000	\$ -	\$ 3,000	Tiger Natural Energy filed its February 2016 month-ahead Resource Adequacy (RA) compliance on December 21, 2015. The RA guide issued on August 14, 2015 shows a filing due date of December 17, 2015. The scheduled penalty prescribed by Resolution E-4195 specifies penalties for a failure to file a Month-Ahead System RA Compliance Filing at the time and manner required. The fine for this violation is \$3,000.
Slamming Citation No.189-586	TeleDias Communications, Inc.	\$ 398,000	\$ -	\$ 398,000	Pursuant to Resolutions UEB-001 and UEB-002, SED issued 398 citations against TeleDias for failure to comply with the Third-Party Verification (TPV) requirements in Public Utilities Code Section 2889.5 and/or Code of Federal Regulations (47 CFR 64.1120(c)(3)(iii)). All citations are under appeal in proceeding K.16-04-004.
Slamming Citation No.587 - 727	TeleUno, Inc.	\$ 141,000	\$ -	\$ 141,000	Pursuant to Resolutions UEB-001 and UEB-002, SED issued 141 citations against TeleUno for failure to comply with the Third-Party Verification (TPV) requirements in Public Utilities Code Section 2889.5 and/or Code of Federal Regulations (47 CFR 64.1120(c)(3)(iii)). All citations are under appeal in proceeding K.16-04-003.
D.16-02-002	EZETOP	\$ 25,000	\$ -	\$ 25,000	The Commission granted the CPCN application of EZETOP to provide prepaid calling services in CA. The Commission also adopted the Settlement Agreement between SED and EZETOP, which required EZETOP to make a payment of \$25,000 for operating without a license and paying unpaid user fees.
2016 Total:		\$ 1,722,033.66	\$ -	\$ 1,722,034.16	

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2015					
15-12-031	TracFone Wireless, Inc.	\$ 10,000,000	\$ -	\$ 10,000,000	This decision approves the settlement agreement between the California Public Utilities Commission Safety and Enforcement Division and TracFone Wireless, Inc. The settlement agreement resolves all outstanding issues in this Investigation and related court action concerning TracFone's collection of public purpose program surcharges and user fees on intrastate revenue since 2000 and provides that TracFone shall pay a \$10 million penalty.
15-09-009	Comcast	\$ 12,500,000	\$ 7,909,400	\$ 32,909,400	This decision approves a Settlement Agreement between Comcast Phone of California, LLC (U-5698-C) (Comcast Phone) and the Safety and Enforcement Division. This proceeding was instituted to investigate issues relating to the unauthorized disclosure and publication of directory listing information (i.e., name, telephone number, and address) by Comcast Phone and its related entities. Approximately 75,000 Comcast customers in California had a non-published or non-listed feature on their XFINITY Voice service. As a result of Comcast's unauthorized disclosure and publication, the names, telephone numbers, and addresses of these customers became available on Comcast's online directory, in a rural telephone company's phone books, and via directory assistance. Thus Comcast was required (a) to pay a \$25 million penalty (half to the State of California General Fund, and half to the California Attorney General), (b) to provide further restitution to affected customers, as set forth in the Settlement, and (c) to undertake specified operational reforms to enhance the security of Comcast customers' directory listing information (and the privacy of those customers seeking non-published status).
15-04-010	Five9, Inc	\$ 172,021	\$ -	\$ 172,021	This decision adopts the proposed Settlement Agreement between the Safety and Enforcement Division and Five9, Inc. to provide limited facilities-based and resold interexchange service within California. Among other things the Settlement Agreement requires Five9 to pay a penalty of \$10,000 to the General Fund, to pay retroactive surcharges and fees plus interest and comply fully with all applicable regulatory and legal requirements. Pursuant to Public Utilities Code Section 1001, we grant Five9, a Certificate of Public Convenience and Necessity to provide resold interexchange service in California subject to the terms and conditions set forth in the Ordering Paragraphs.
15-01-032	Logical Telecom	\$ 120,000	\$ -	\$ 120,000	Logical acknowledged that it allowed its prepaid phone cards to be sold in California without having authority to do so under Section 885. Logical also acknowledged that some of its prepaid phone cards and advertising materials did not meet the requirements of California's Business and Professional Code Section 17538.9. Logical and SED have agreed on a settlement in which Logical will pay \$120,000 to the State of California General Fund. The Settlement Agreement was subsequently approved by the Commission in D.15-01-032.
15-06-003	Dial World Communications	\$ 65,000	\$ -	\$ 65,000	Pursuant to Pub. Util. Code § 1001, we grant the application of Dial World Communications, LLC (Dial World) a certificate of public convenience and necessity (CPCN) for authority to provide resold interexchange service in California subject to the terms and conditions set forth in this order. As a basis for granting the CPCN, and we are requiring Dial World to pay retroactive surcharges and fees totaling \$65,000.
15-12-009	Dynalink Communications, Inc	\$ 12,652	\$ -	\$ 12,652	This decision approved and adopted the December 3, 2014 settlement agreement between Dynalink Communications Inc. and the Safety and Enforcement Division. The settlement resolved the issues raised in the April 18, 2014 protest filed by SED concerning Dynalink's: 1) operation in California after November 2009 when Dynalink's certification to provide telecommunication's services was revoked pursuant to Resolution T-17228 for failure to comply with the Commission's reimbursement account fee filing and reporting requirements; 2) failure to disclose prior adverse regulatory actions in other jurisdictions, and 3) erroneous statements of fact in its Application, in violation of Rule 1.1.
15-12-026	New Day Broadband	\$ 10,000	\$ -	\$ 10,000	This decision regarding the Investigation into the actions of New Day Broadband One, LLC, finds that New Day violated the laws, rules and regulations of this state by operating without the required state franchise from the California Public Utilities Commission from 2008 through 2014 in violation of Public Utilities Code § 5840, failing to collect and remit franchise fees in violation of Pub. Util. Code § 5860, and failing to notify the Federal Communications Commission of its acquisition of video franchises in violation of 47 CFR 76.1610. This Decision imposes a penalty of \$10,000 against New Day pursuant to Pub. Util. Code §§ 2108 and 2111 for these violations.
15-12-007	Toly Digital	\$ 6,000	\$ -	\$ 6,000	Pursuant to Pub. Util. Code § 1001, we grant the application of Toly Digital Networks, Inc. (Toly) a certificate of public convenience and necessity (CPCN) to provide resold interexchange service in California subject to the terms and conditions set forth in this order. We also adopt and approve the Settlement Agreement as set forth in Attachment D, as discussed below. Toly seeks authority from the Commission to operate as a switchless reseller statewide in California. Toly's principal place of business is 1005 West Indiantown Road, Ste. 201, Jupiter, Florida 33458.

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E-4195-23	Commerce Energy	\$ 5,000	\$ -	\$ 5,000	On January 23, 2015, Energy Division emailed Commerce a correction notice. Commerce is deficient with their March 2015 month-ahead RA obligation. Commerce has a system RA requirement of 47.00 MW. California Independent System Operator (CAISO)'s T-45 supply plans has confirmed Commerce for 45.35 MW of system RA. This is 1.65 MW (47.00 minus 45.35) short of their RA obligation. The correction notice is to procure the 1.65 MW of system capacity and file with the CPUC by January 30, 2015. The RA Citation Program creates a specified violation for a deficiency cured within five business days from the date of notification by Energy Division with a prescribed penalty of \$5,000 per incident if the deficiency is 10 Megawatts (MW) or smaller, or \$10,000 for a deficiency larger than 10 MW. Commerce's revised filing on January 30, 2015 cured a deficiency of 1.65 MW within five business days from the date of notification by Energy Division. The fine for this violation is \$5,000.
E-4195-24	EDF Industrial Power Services	\$ 1,000	\$ -	\$ 1,000	On March 18, 2015, EDF filed its May 2015 month-ahead RA compliance. The 2015 RA guide issued on September 9, 2014 shows a filing due date of March 17, 2015 for the May month-ahead 2015 RA. The RA Citation Program creates a specified violation for a failure to file a Month-Ahead System Resource Adequacy Compliance Filing at the time and manner required. EDF's filing on March 18, 2015 was one day late. The fine for this violation is \$1,000.
E-4195-25	Glacial Energy of California	\$ 5,000	\$ -	\$ 5,000	On April 6, 2015, Energy Division emailed Glacial a deficiency notice. Glacial is deficient with their May 2015 month-ahead RA obligation. Glacial has a system RA requirement of 5.00 MW. California Independent System Operator (CAISO)'s T-45 supply plans have confirmed Commerce for 4.00 MW of system RA. Glacial has a 0.34 MW Demand Response (DR) allocation. This is 0.66 MW (5.00 minus 4.00 minus 0.34) short of their RA obligation. The deficiency notice is to procure the 0.66 MW of system capacity and file with the CPUC by April 13, 2015.
E-4195-26	3 Phases Renewables	\$ 10,000	\$ -	\$ 10,000	On May 5, 2015, Energy Division emailed 3 Phases a correction notice. 3 Phases was deficient with their June 2015 month-ahead RA obligation. 3 Phases had a system RA requirement of 53.00 MW. California Independent System Operator's T-45 supply plans confirmed 3 Phases for 36.95 MW of system RA. 3 Phases had a 1.44 MW DR allocation, 14.61 MW (53.00 minus 36.95 minus 1.44) short of their RA obligation. The correction notice is to procure 14.61 MW of system capacity of which at least 12.81 MW must be procured from north resources and file with CPUC by May 12, 2015.
E-4195-0027	3 Phases Renewables	\$ 5,000	\$ -	\$ 5,000	3 Phases Renewables, LLC has failed to meet its Resource Adequacy obligation for November 2015. On September 11, 2015, 3 Phases Renewables, LLC. (3 Phases) filed its November 2015 month-ahead RA compliance. After receiving a deficiency notice from Energy Division, 3 Phases cured its deficiency and resubmitted its November 2015 filing to ED within five business days. This violation is for a deficiency cured within five business days and for the second deficiency in this calendar year, the scheduled penalties prescribe a \$10,000 penalty for a deficiency 10 Megawatts or smaller. Accordingly, 3 Phases is being cited \$10,000 for its MW deficiency.
E-4195-0030	Commerce Energy	\$ 10,000	\$ -	\$ 10,000	Commerce Energy, Inc. has failed to meet its Resource Adequacy obligation for June 2015. Commerce submitted its June 2015 Month Ahead RA Filing with a 1.00 MW deficiency in Flexible RA. After receiving a deficiency notice from Energy Division, Commerce cured its deficiency and resubmitted its June 2015 filing to ED within five business days. This violation constitutes Commerce's second violation within a calendar year. For the second and subsequent calendar year deficiencies cured within five days, the scheduled penalties prescribe a \$10,000 penalty per incident if the deficiency is 10.00 MW or smaller. Accordingly, Commerce is being cited \$10,000 for its 1.00 MW deficiency.
2015	Slamming Citations	\$ 2,000	\$ -	\$ 2,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2015 Total:		\$ 22,923,673	\$ 7,909,400	\$ 43,333,073	

Note: In D.15-09-009 Comcast was required to pay a \$12.5 million penalty to the California Attorney General. This amount was not included in the "Fines Payable to the State" or "Restitution for Customers" but is included in the "Total Fines and Restitutions."

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2014					
D.14-02-007	Global Telco Group Inc.	\$ 12,500	\$ -	\$ 12,500	This decision adopts a settlement between SED and Global Telco Group and requires Global Telco Group to pay a \$12,500 penalty to the General Fund for selling prepaid phone cards in California without Commission authority.
14-08-033	Telseven, LLC, Calling 10 LLC dba California Calling 10 and Patrick Hines	\$ 19,760,000	\$ 21,000,000	\$ 40,760,000	The Commission found all charges placed on California subscribers' telephone bills by Telseven LLC, and Calling 10 LLC dba California Calling 10, and Mr. Patrick Hines acting through them, were unauthorized, and ordered Telseven, LLC, and Calling 10 LLC dba California Calling 10, and Mr. Patrick Hines to pay reparations to each subscriber so billed in the total amount collected from that subscriber and to pay a fine of \$19,760,000.
2014	Slamming Citations	\$ 14,000	\$ -	\$ 14,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
Citation No. E-4195-22	3 Phases Renewables, LLC	\$ 5,000	\$ -	\$ 5,000	Resource Adequacy citation issued to 3 Phases Renewables, LLC for "deficiency cured within five business days from the date of notification by Energy Division."
14-01-037	TracFone Wireless, Inc.	\$ -	\$ 24,397,441	\$ 24,397,441	This decision finds that TracFone must pay \$24,397,441 which equals the full amount of user fees and public purpose program surcharges, including interest, accrued prior to February 24, 2012.
	2014 Total:	\$ 19,791,500	\$ 45,397,441	\$ 65,188,941	
2013					
13-04-012	Pacific Gas & Electric Co. (PG&E)	\$ 390,000	\$ -	\$ 390,000	This decision approves a settlement between SED, PG&E and The Utility Reform Network concerning alleged improper activities on the part of PG&E employees regarding anti-smart meter groups. The settlement requires PG&E to pay \$390,000 to the general fund of the State of California; carry through with improvements to the social media components of its employee policies and with education about those policies; sponsor three regulatory industry trainings, which a third-party will teach; and verify the completion of these things to SED by 2015.
13-07-029	West Corporation and Intrado Communications, Inc.	\$ 5,000	\$ -	\$ 5,000	This decision approves a Settlement Agreement entered into between SED, West and Intrado resolving all issues in this application regarding West's violation of Public Utilities Code Section 854 in failing to obtain Commission authorization prior to the transfer of indirect control of Intrado to West and imposes a \$5,000 penalty payable to the General Fund.
13-09-001	OSP Communications LLC and John Vogel	\$ 2,985,400	\$ 5,700,000	\$ 8,685,400	This decision adopts a settlement between SED and OSP Communications and John Vogel, an individual, regarding alleged cramming violations.
2013	Slamming Citations	\$ 1,000	\$ -	\$ 1,000	Pursuant to Commission Resolution, SED staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2013	Resource Adequacy Citations	\$ 19,000	\$ -	\$ 19,000	Pursuant to Commission Resolution, SED staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
	2013 Total:	\$ 3,400,400	\$ 5,700,000	\$ 9,100,400	
2012					
12-01-009	Pacific Gas & Electric Co. (PG&E)	\$ 100,000	\$ 50,000	\$ 150,000	Decision approved settlement between CPSD and PG&E regarding alleged violations of mitigation measures set forth in Mitigation Monitoring Plan adopted in D.09-10-049 and required PG&E to make settlement payment of \$100,000 to General Fund and a \$50,000 donation to the Endangered Species Recovery Program at Stanislaus State Univ.
12-02-030	Pacific Gas & Electric Co. (PG&E)	\$ 215,000	\$ -	\$ 215,000	Decision approved settlement between CPSD and PG&E regarding alleged violations of system resource adequacy requirements for Mar, Apr and July 2010 and required PG&E to make a \$215,000 payment to the General Fund.
12-08-002	Kingstone Telecommunications, Inc.	\$ 6,500	\$ -	\$ 6,500	Decision approved settlement between CPSD and Kingstone regarding alleged Rule 1.1 violations in Kingstone's application (A.11-09-003) and required Kingstone to make a \$6,500 penalty payment to the General Fund.
12-11-043	Tele Circuit Network Corporation	\$ 32,500	\$ -	\$ 32,500	This decision adopts a settlement between CPSD and Tele Circuit and requires Tele Circuit to pay a \$32,500 penalty to the General Fund for operating in California without Commission authority.
2012	Resource Adequacy Citations	\$ 6,660	\$ -	\$ 6,660	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
	2012 Total:	\$ 360,660	\$ 50,000	\$ 410,660	

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2011					
11-01-017	Contractor Strategies Group, Inc. (CSGI)	\$ 66,511	\$ 51,597	\$ 118,108	Decision approves settlements between CPSD and CSGI and associates regarding alleged violations related to connection of automatic dial-around devices to customer-owned pay telephones. Settlements provided for fines totaling \$66,511 payable to CA General Fund and reparations of \$51,597 to the Telecom Consumer Education Fund.
11-03-006	Constellation NewEnergy, Inc. (CNE)	\$ 300,000	\$ -	\$ 300,000	This decision approves a settlement between CPSD and CNE regarding alleged violations of system resource adequacy requirements for Jan 09 and requires CNE to make a \$300,000 settlement payment to the General Fund.
11-04-009	NobelBiz VoIP Services, Inc. (NobelBiz)	\$ 12,000	\$ -	\$ 12,000	This decision approves a settlement between CPSD and NobelBiz regarding alleged Rule 1.1 violations in NobelBiz's application (A.10-04-003) and requires NobelBiz to make a \$12,000 penalty payment to the General Fund.
11-05-008	Americatel Corporation (Americatel)	\$ 503,000	\$ 47,000	\$ 550,000	This decision approves a settlement between CPSD and Americatel and provides for Americatel to assure appropriate credits have been issued and to make a \$503,000 settlement payment to the General Fund.
11-07-021	Metropolitan Telecommunications of California Inc. dba MetTel	\$ 8,000	\$ -	\$ 8,000	This decision approves a settlement between CPSD and MetTel regarding alleged Rule 1.1 violations and requiring MetTel to pay an \$8,000 penalty to the General Fund.
11-10-017	Legacy Long Distance International, Inc.	\$ 215,000	\$ 20,491	\$ 235,491	Decision approves settlement between CPSD and Legacy regarding alleged unauthorized billings. Legacy ordered to pay \$215,000 penalty to General Fund and issue refunds/credits to CA consumers who complained about Legacy's billing or were double-billed between 2005 and 2008.
2011	Slamming Citations	\$ 2,000	\$ -	\$ 2,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2011	Resource Adequacy Citations	\$ 7,000	\$ -	\$ 7,000	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
2011	Renewable Portfolio Standard Citations	\$ 4,000	\$ -	\$ 4,000	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities for non-compliance with mandatory filing deadlines and reporting requirements of the Renewable Portfolio Standard.
2011 Total:		\$ 1,117,511	\$ 119,088	\$ 1,236,599	
2010					
10-04-033	Calpine PowerAmerica	\$ 225,000	\$ -	\$ 225,000	The Commission approved the settlement between Calpine and CPSD regarding alleged violations of system and local resource adequacy requirements in its 2007 year-ahead compliance filings. By the terms of the settlement, Calpine agreed to pay a fine of \$225,000.
10-05-028	Speedypin Prepaid	\$ 13,000	\$ -	\$ 13,000	This decision adopts a settlement between CPSD and Speedypin Prepaid and grants a registration CPCN to Speedypin Prepaid to provide services in California. Among other things, the Settlement Agreement requires Applicant to pay a penalty of \$13,000 to the General Fund.
10-06-033	Talton Communications	\$ 11,000	\$ -	\$ 11,000	This decision adopts the Settlement between CPSD and Talton and requires Talton to pay a penalty of \$11,000 for operating in California without Commission authority.
10-07-023	Broadvox-CLEC, LLC (Broadvox)	\$ 5,000	\$ -	\$ 5,000	This decision adopts a settlement agreement between CPSD and Broadvox regarding alleged Rule 1.1 violations in Broadvox's application (A.09-06-004) which includes, as part of the settlement agreement, that Broadvox pay a \$5,000 fine to the General Fund.
10-09-036	Krush Communications LLC (Krush)	\$ 7,500	\$ -	\$ 7,500	This decision adopts a settlement between CPSD and Krush and requires Krush to pay a \$7,500 penalty to the General Fund for operating in California without Commission authority.
2010	Slamming Citations	\$ 1,000	\$ -	\$ 1,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2010	Resource Adequacy Citations	\$ 48,500	\$ -	\$ 48,500	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
2010	Renewable Portfolio Standard Citations	\$ 7,000	\$ -	\$ 7,000	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities for non-compliance with mandatory filing deadlines and reporting requirements of the Renewable Portfolio Standard.
2010 Total:		\$ 318,000	\$ -	\$ 318,000	

CALIFORNIA PUBLIC UTILITIES COMMISSION

Utility Enforcement Branch

Enforcement Actions, 2004 through 2018

Decision/ Case Number	Utility	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Description
2009					
09-02-015	NextG Networks of California, Inc. (NextG)	\$ 200,000	\$ -	\$ 200,000	In this decision, the Commission adopted a settlement agreement between NextG and CPSD to resolve issues relating to the allegation that NextG violated the terms of its limited facilities-based Certificate of Public Convenience and Necessity (CPCN) by engaging in ground-disturbing activities related to construction and Rule 1.1 of the Commission's Rules of Practice and Procedure. NextG agreed to pay the state General Fund \$200,000.
09-04-009	Bigredwire	\$ 20,000	\$ 41,265	\$ 61,265	In this decision, the Commission adopted the settlement agreement between Bigredwire.com, Inc. (BRW) and CPSD, wherein BRW agreed to pay a fine of \$20,000 to the state General Fund, for operating in this state without a Certificate of Public Convenience and Necessity (CPCN) and for its failure to pay required fees and surcharges and to file required reports with the Commission. BRW also agreed to pay all fees and surcharges owed to this Commission, plus simple interest at the rate of 10% year, which amounts to \$41,264.80, in installment payments.
09-05-032	88 Telecom	\$ 8,000	\$ -	\$ 8,000	In this decision, the Commission adopted the settlement agreement between 88 Telecom Corporation and CPSD that resolved issues brought up in CPSD's protest regarding 88 Telecom selling prepaid phone cards in California without authority. 88 Telecom Corporation agreed to pay a fine of \$8,000 to the state General Fund.
09-05-027	Southern California Edison Co. (SCE)	\$ -	\$ 6,000,000	\$ 6,000,000	In this decision, the Commission adopted the settlement agreement between Southern California Edison Company (SCE) and CPSD, which resolved all outstanding issues in Phase 2 of the Performance-Based Ratemaking (PBR) case. SCE agreed to: 1) Credit \$4.0 million to the distribution subaccount of SCE's existing Base Revenue Requirement Balancing Account (BRRBA). Ratepayers will receive the credit as a reduction to SCE's distribution rates when the BRRBA is amortized in rates; 2) forgo its claim for a net system reliability reward of \$2 million, which is comprised of a reward of \$5 million for frequency in 2001 and a penalty of \$3 million for average customer minutes of interruption in 2003; and, 3) not propose any PBR customer satisfaction or employee safety shareholder incentive mechanism before the completion of its 2015 General Rate Case cycle.
09-05-032	88 Telecom	\$ 8,000	\$ -	\$ 8,000	In this decision, the Commission adopted the settlement agreement between 88 Telecom Corporation and CPSD that resolved issues brought up in CPSD's protest regarding 88 Telecom selling prepaid phone cards in California without authority. 88 Telecom Corporation agreed to pay a fine of \$8,000 to the state General Fund.
09-06-013	Birch Communications	\$ 10,000	\$ -	\$ 10,000	The Commission approved a settlement between CPSD and Birch that provides for its operating authority to be granted, but Birch admits that its initial application violated Rule 1.1 of the Commission's Rules of Practice and Procedure and agreed to pay a fine of \$10,000.
09-07-018	San Diego Gas & Electric (SDG&E)	\$ 500,000	\$ 420,000	\$ 920,000	The Commission adopted the settlement agreement between CPSD and SDG&E which provides that while SDG&E does not admit to any violation of Rule 1.1 of the Commission's Rules of Practice and Procedure, it acknowledges its failure to fully comply with Rule 8.3 and tenders an apology for imprecision in its communications with decision-makers in connection with certain ex parte meetings held during Phase 2. SDG&E commits to pay a total of \$920,000 in shareholder funds in amounts specified for charitable contributions, reimbursement to the Commission for expenses related to this proceeding, and payment to the State's General Fund. Further, SDG&E commits to develop a professional responsibility class and an ex parte best practices manual, both in consultation with the Commission.
09-06-013	Birch Communications	\$ 10,000	\$ -	\$ 10,000	The Commission approved a settlement between CPSD and Birch that provides for its operating authority to be granted, but Birch admits that its initial application violated Rule 1.1 of the Commission's Rules of Practice and Procedure and agreed to pay a fine of \$10,000.
09-09-005	Alliance Group Services (AGS)	\$ 2,500	\$ -	\$ 2,500	The Commission found that AGS violated the Settlement Agreement between AGS and CPSD, by failing to file a status report due on September 7, 2007 until after CPSD protested AGS's application for transfer of control and filed a data request asking for a list of AGS's carrier customers. The Settlement Agreement required AGS to file status reports with CPSD every six months.
09-11-010	Cheap2Dial Telephone	\$ 10,000	\$ 3,108	\$ 13,108	The Commission adopted a settlement between CPSD and Cheap2Dial. The settlement requires Cheap2Dial to pay a penalty of \$10,000 to the General Fund and required surcharges, fees, and interest that it owed to the Commission, totaling \$3,108.43.
2009	Slamming Citations	\$ 24,000	\$ -	\$ 24,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2009	Resource Adequacy Citations	\$ 1,500	\$ -	\$ 1,500	Pursuant to Commission Resolution, CPSD staff issue citations to Load Serving Entities who fail to comply with specific requirements of the Commission's Resource Adequacy Requirements.
2009 Total:		\$ 794,000	\$ 6,464,373	\$ 7,258,373	

CALIFORNIA PUBLIC UTILITIES COMMISSION

Utility Enforcement Branch

Enforcement Actions, 2004 through 2018

Decision/Case Number	Utility	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Description
2008					
08-09-038	Southern California Edison Co. (SCE)	\$ 30,000,000	\$ 115,714,000	\$ 145,714,000	This decision concludes that Southern California Edison Company (SCE) employees and management manipulated and submitted false data in claiming Performance Based Ratemaking (PBR) rewards. SCE is ordered to: 1) Refund to its ratepayers \$28 million in PBR customer satisfaction rewards it has received and forgo an additional \$20 million in rewards that it has requested; 2) Refund to its ratepayers all \$20 million in PBR health and safety rewards it has received and forgo an additional \$15 million in rewards that it has requested; 3) Refund to its ratepayers the portion of its 2003 to 2005 revenue requirement related to the utility's Results Sharing program that was affected by fraudulent data, which the decision finds to be \$32,714,000; and, 4) Pay a fine of \$30 million to the state General Fund for violations of the Public Utilities Code.
2008	Slamming Citations	\$ 20,000	\$ -	\$ 20,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2008 Total:		\$ 30,020,000	\$ 115,714,000	\$ 145,734,000	
2007					
CGC07462325	Devine Communications	\$ 118,000	\$ -	\$ 118,000	As a result of the Commission's work with the California Attorney General, the Superior Court of California issued a judgment requiring California prepaid calling card companies Devine Communications and Megalink Telecom (Devine) to clearly disclose all fees, surcharges, and other costs associated with the use of their prepaid calling cards. The judgment also imposed civil penalties of \$118,000 on Devine and prohibited misleading advertising.
07-09-041	Pacific Gas & Electric Co. (PG&E)	\$ -	\$ 35,000,000	\$ 35,000,000	This decision finds that Pacific Gas and Electric Company (PG&E) systematically violated its tariff Rule 9A by failing to issue bills at regular intervals based on actual metering data. The decision also finds that PG&E violated its tariff Rule 17.1 by issuing backbills related to: 1) periods of no bills ("delayed bills) and 2) periods of estimated bills, where the cause for the estimation was within PG&E's control, beyond the time limits permitted under the tariff. The Commission ordered PG&E to refund, at shareholder expense, approximately \$35 million for these unauthorized charges.
07-05-054	Sebastian Enterprises	\$ 15,000	\$ -	\$ 15,000	In this decision, the Commission approved the settlement agreement between Sebastian Enterprises, Inc. (SEI), its subsidiary Fortel, Inc. (Fortel) or Foresthill Telephone Company (FTC) and CPSD for violations resulting from respondents' obtaining a loan and entering into a merger without the Commission's prior approval. SEI and FTC agreed to pay the state General Fund \$15,000.
2007	Slamming Citations	\$ 18,000	\$ -	\$ 18,000	Pursuant to Commission Resolution, CPSD staff issue citations to telecommunications companies who fail to provide a third party verification recording in compliance with Commission and Federal Communications Commission rules.
2007 Total:		\$ 151,000	\$ 35,000,000	\$ 35,151,000	
2006					
06-10-027	Qwest	\$ 150,000	\$ 30,000	\$ 180,000	In this decision, the Commission approved the settlement agreement between Qwest and CPSD concerning compliance with statutes, decisions, and other requirements applicable to the utility's installation of facilities in California for providing telecommunications service. Under the settlement agreement, Qwest agreed to pay \$150,000 to the State's General Fund and to contribute \$30,000 to three groups that promote awareness of Native American sites, archaeology and history within California.
06-04-035	MCI	\$ 1,300,000	\$ 2,000,000	\$ 3,300,000	In this decision, the Commission approved the settlement agreement between MCI, WorldCom, and MCI WorldCom (collectively, MCI) and CPSD that resolved the Commission's investigation into MCI's alleged slamming and cramming activities. MCI agreed to pay \$2.3 million, in addition to credits it has already paid to affected customers. (MCI estimates its past credits to be in excess of \$1 million.) The \$2.3 million was comprised of up to \$1 million in refunds or credits to affected customers and \$1.3 million as penalties payable to state General Fund.
2006 Total:		\$ 1,450,000	\$ 2,030,000	\$ 3,480,000	

CALIFORNIA PUBLIC UTILITIES COMMISSION

Utility Enforcement Branch

Enforcement Actions, 2004 through 2018

Decision/ Case Number	Utility	Fines Payable to the State	Restitution for Consumers	Total Fines and Restitutions	Description
2005					
05-02-001	Miko Communications	\$ 45,350	\$ -	\$ 45,350	This decision finds that Miko and its sole owner and President Margaret Currie conducted operations in California without operating authority, failed to pay the Commission's telecommunications fees and surcharges, made a material misrepresentation in response to a data request from the Commission's Telecommunications Division, and engaged in a pattern of slamming, i.e., violated regulations governing how telephone subscribers are switched from one interexchange carrier to another. The Commission permanently revoked respondents' operating authority, and fined respondents \$45,035
05-03-004	Vycera Communications	\$ 100,000	\$ -	\$ 100,000	In this decision, the Commission approved a settlement between CPSD and Vycera and its officers and primary shareholders resolving an investigation into allegations that Vycera made unauthorized transfers of telephone service and billed for unordered services. The settlement agreement provides for numerous changes to Vycera's operations, enhanced CPSD oversight, and a \$100,000 fine.
05-06-033	Clear World Communications	\$ 100,000	\$ -	\$ 100,000	The Commission found that two predecessor companies of Clear World operated as unauthorized resellers of long distance service in California between the years 1997 and 1999 and that the assets of one of these companies were transferred to Clear World without authorization. The Commission imposed a fine of \$100,000.
2005 Total:		\$ 245,350	\$ -	\$ 245,350	
2004					
04-06-017	NOS Communications	\$ 2,900,000	\$ 50,000	\$ 2,950,000	The Commission adopted a settlement agreement between CPSD and NOS which requires NOS to make payments to the Commission totaling \$2,950,000. Of this sum, \$2,900,000 will be deposited into the State's General Fund, and \$50,000 will be set aside for customer restitution and claims administration. Each of about 1400 customers will receive a restitution payment of \$25.
04-09-007	Verizon	\$ 4,836,000	\$ -	\$ 4,836,000	The Commission ordered CPSD to retain and supervise consultants to conduct a review of Verizon's operations and practices related to Individual Case Basis (ICB) contracts and Verizon to reimburse the Commission for the consultants' costs. The Commission adopted a settlement between Verizon and CPSD under which Verizon will pay \$4,836,000 to the state General Fund in satisfaction of any fines or other remedies that could have been sought or imposed for violation of the Public Utilities Code and of Commission rules relating to ICB and express contracts.
04-09-062 and 07-03-048	Cingular Wireless	\$ 12,140,000	\$ 17,717,740	\$ 29,857,740	Cingular's corporate policy and practice in California did not allow any "grace period" or trial of its wireless service and prohibited early termination of wireless service unless the customer paid an early termination fee (ETF) of \$150. Given Cingular's own testimony that testing wireless service by using the phone is the best way for a customer to ascertain whether the service meets his or her needs, binding that customer in advance to a one or two-year contract constituted an unjust and unreasonable rule and resulted in inadequate, unjust, and unreasonable service in violation of PU Code Section 451 and Commission Decision (D.) 95-04-028. The Commission imposed a penalty of \$12,140,000 and ordered Cingular to reimburse customers who paid part or all of the ETF.
2004 Total:		\$ 19,876,000	\$ 17,767,740	\$ 37,643,740	
Total Restitutions and Fines from 2004 through 2018		\$ 107,426,172	\$ 236,177,042	\$ 356,103,215	