

General Order 167; 9/2/2005 Enforcement of Maintenance and Operation Standards for Electric Generating Facilities

Additional Statutory Authority: Various

Event	General Order 167	Governing Appellate Rule
File Appeal	Within 30 days of citation date. (Section 13.3.8.1)	Program Rule 3: File Notice of Appeal with Docket Office; File within time stated by GO 167, § 13.3.8.1.
Content of Appeal	Indicate grounds. (Section 13.3.8.1)	Program Rule 5: State date of and dollar amount of the citation; indicate rationale for appeal as required by GO 167 § 13.3.8.1.
Compliance Filing	Silent	Program Rule 7: Staff issuing citation must file complete citation and proof of service with Commission's Docket Office no later than 14 days after Notice of Appeal is filed. Staff must serve filing on Chief Judge and Appellant on same day.
Exchange of Info	Silent	Program Rule 9: Parties must exchange all information intended to be introduced into the record at hearing which is not included in citation or compliance filing no later than three business days prior to hearing.

Event	General Order 167	Governing Appellate Rule
Hearing Date	Promptly; Judge may for good cause or parties' agreement, grant reasonable hearing continuance. (Section 13.3.8.3)	Program Rule 10: Hearing must commence as required by GO 167 § 13.3.8.3.
Burden of Proof	Staff. Staff opens and closes; Judge may alter order. (Section 13.3.8.7)	Program Rule 11: The burden of proof is as set forth in GO 167 § 13.3.8.7.
Evidence	Formal rules do not necessarily apply; Judge may receive all relevant and reliable evidence. (Section 13.3.8.7)	Program Rule 13: Rule 13.6 (Evidence) of the Commission's Rules of Practice and Procedure applies.
Hearing Venue	SF or LA; Judge may recalendar. (Section 13.3.8.4)	Program Rule 12: Venue as set forth in GO 167 § 13.3.8.4.
Party Representative	At appellant's expense. (Section 13.3.8.6)	Program Rule 13: At appellant's expense.
Transcript	Appellant must pay costs per Commission's procedures. (Section 13.3.8.5)	Program Rule 14: Appellant must pay costs per Commission's procedures.
Interpreter	Silent	Program Rule 15: Upon a good faith showing of language difficulty and written request to the assigned Judge and Commission's Public Advisor's Office not less than five business days prior to date of hearing. At Commission's expense.

Event	General Order 167	Governing Appellate Rule
Submission	Ordinarily at close of hearing; Judge may keep record open for a reasonable period to permit a party to submit additional evidence or argument. (Section 13.3.8.8)	Program Rule 16: The submission date is governed by GO 167 § 13.3.8.8.
Issuance of Draft Resolution	Not later than 30 days after submission. (Section 13.3.8.9)	Program Rule 17: Draft decision issued expeditiously, and no later than 60 days after submission. Program Rule 18: Draft Resolution issued for public comment.
Ex Parte Communications	Prohibited from citation date to final order. (Section 13.3.9)	Program Rule 19: Prohibited from date the citation (which is being appealed) issues to final order.
Rehearing	Silent	Program Rule 20: Resolution subject to rehearing.

Additional Program Rules:

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

- Rule 22: Applicable Procedure when Appellate Rules Are Silent