

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA



FILED

01-07-11
03:45 PM

Order Instituting Investigation on the Commission's own motion into the operations, practices, and conduct of Contractors Strategies Group, Inc., Intella II, Inc., A&M Communications, TNT Financial Services, Limo Services, Inc, Calnev Communications, Inc., 1st Capital Source Funding & Financial Services Inc., and their owners to determine whether Respondents violated the laws, rules and regulations of this State regarding the connection of automatic Dialing-Announcing Devices to Customer-Owned Pay Telephones.

Investigation 10-02-004

REPLY OF MASSIMO CAVALLARO

/s/ Massimo Cavallaro
Massimo Cavallaro

**REPLY AND ACTION REQUESTED BASED ON CPSD REPLY TO
RESPONDENT CAVALLARO REQUEST TO REMOVE PERSONAL
INFORMATION AND TO SEAL RECORDS**

After reviewing the CPSD reply I would like to bring to attention to G.O. 66 and CPUC rule 583 as is quoted by CPSD.

G.O. 66c Lists as I interpret allows for the exclusions of public information in regard to information received and some investigations and actions towards a public utility.

583(a) allows for the exception to be overruled by a commission or commissioner in the event of an investigation report or by a public hearing.

I hope I have interpreted these correctly because my argument towards Mr. Foss's comments are these.

First, at no time were we a public utility, affiliate or officer of any business related to a public utility. This has been an argument which has gone on since the beginning of these proceedings and each time this court has seen fit to carry on proceedings as though we were a public utility to which I continue to personally disagree with and object to its being used once again in the comments made by Mr. Foss in his reply to my motion.

Secondly, 583a specifically is included for exclusion under G.O. 66c unless otherwise ordered by the commission or by a commissioner and to my knowledge this action has never been ordered nor been proposed nor granted. It has only been a presumption whereby these hearings were public but has never been made a formal motion to make available these proceedings to be made public for the respondents to challenge. All parties who ignore this are subject to a misdemeanor.

So it is my interpretation, the only order which is in favor of my original request to remove my personal address which was granted back in October of 2010 is the only action taken by either side to determine what was available to the public. This order having been granted acts as foundation for my request to Seal The Records as there was no order made to make these proceedings public by either the CPSD to the commission or by any order proposed by any Commissioner. Simply by my interpretation and hopefully to the court; if no order has been granted to make these proceedings public then they are automatically excluded from being so. In conclusion on behalf of all the Respondents are hereby request this court honor the intent of G.O. 66c et al and remove all personal information, names addresses and business names used for all of the non public utility entities and for to furthermore seal these records of these proceedings.

I would be willing to discuss some sort of compromise out of fairness to all parties, especially considering the fairness of which ALJ Darling has shown from this towards myself and the other respondents overall.

Below are some of the examples of what is still ignoring the ruling which was in my favor in October of 2010 and have now resurfaced unexplainably.

Furthermore, Mr. Foss specifically addresses the “right to know” as his argument to my previous motion. If this was in fact true on its face, then there would have been no need for G.O.66c to have been ever part of a ruling by CPUC nor the addendum of 583 and its limitations. Employers have the right to know based on what they ask and have been aided by the internet and the social media networks too find additional information about prospective and even current employees not necessarily available to them. But it is within their own responsibility to perform their due diligence. If asked any question I would never deny any information but at least then would be

given the opportunity to defend or explain any prior part of my life. Mr. Foss believes in my opinion any part of my life should be treated as if every job application was a background check for a top secret clearance level. I offer as example in argument to this the current public information which has been made available by Wikileaks who is now potentially facing criminal charges. So not everything is generally a “right to know” as he states but is not necessarily something I want to hide if asked, but certainly not required to be made available to the public. Even criminal and civil cases in other courts allow for the sealing of records or undisclosed amounts of settlements, etc. All I am looking for is the same fair level playing field given to everyone else. Let’s remember, when initially approached, none of us ever denied having placed auto dialer devices as defined by the CPUC and were willing to discuss settlements but the CPSD chose to pursue and persecute us with its intent to make an example for their landmark decision case.

January 7th 2011

/s/ Massimo Cavallaro
Massimo Cavallaro

1. [PDF]

[124253.pdf - Ruling filed by ALJ/DARLING/CPUC - FILED](#)

File Format: PDF/Adobe Acrobat - [Quick View](#)

Oct 1, 2010 ... **Massimo Cavallaro**. A & M COMMUNICATIONS. 775 PARTRIDGE AVENUE. **MENLO PARK** CA 94025 mlcavallaro@msn.com. For: A & M Communications ...

docs.cpuc.ca.gov/EFILE/RULINGS/124253.pdf

1. [PDF]

[121691.pdf - Response filed by Al Freeman on - FILED](#)

File Format: PDF/Adobe Acrobat - [Quick View](#)

Jul 29, 2010 ... **Massimo Cavallaro**. A & M COMMUNICATIONS. 775 PARTRIDGE AVENUE. **MENLO PARK** CA 94025 mlcavallaro@msn.com. For: A & M Communications ...

docs.cpuc.ca.gov/EFILE/RESP/121691.pdf

2. **[PDF]**

[120712.pdf - Motion filed by CPSD/VO/CPUC on 07/15/2010](#)

[120712.pdf - Motion filed by CPSD/VO/CPUC - FILED](#)

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lines were located at 775 Partridge Avenue, **Menlo Park**, California, A&M's ...

docs.cpuc.ca.gov/efile/MOTION/120712.pdf

Service List

I.10-02-004

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of **MOTION TO REMOVE PERSONAL INFORMATION FROM PUBLIC VIEW AND TO SEAL RECORDS** to the official service list in I.10-02-004 by using the following service.

[X] E-Mail service: sending the entire document as an attachment to all known parties of record who provided electronic mail addresses.

Executed on 7th January 2011 at Menlo Park, California.

/s/ Massimo Cavallaro
Massimo Cavallaro