
PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

January 25, 2011

Agenda ID #10096

TO PARTIES OF RECORD IN DRAFT RESOLUTION ALJ-266

This draft resolution regarding Dismissal of General Order 156 2010-01 will be on the agenda at the February 24, 2011 Commission meeting. The Commission may then vote on this draft resolution, or it may postpone a vote.

When the Commission acts on the draft resolution, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own order. Only when the Commission acts does the resolution become binding on the parties.

You may serve comments on the draft resolution. Opening comments shall be served no later than February 14, 2011, and reply comments shall be served no later than February 22, 2011. Service is required on all persons on the attached service list. Comments shall be served consistent with the requirements of Pub. Util. Code § 311(g) and Rule 14.5 of the Rules of Practice and Procedure.

Finally, comments must be served separately on Administrative Law Judge Melanie M. Darling at md2@cpuc.ca.gov, and for that purpose I suggest hand delivery, overnight mail, or other expeditious method of service.

/s/ KAREN V. CLOPTON
Karen V. Clopton, Chief
Administrative Law Judge

KVC:oma

Attachment

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-266
Administrative Law Judge Division
February 24, 2011

RESOLUTION

RESOLUTION ALJ-266. Dismissal in the Matter of the Appeal Under General Order (GO) 156 filed by Ann Tobman, Automation Printing Company - GO 156 2010-01/VON 9EN00020.

On July 7, 2010, Ms. Ann Tobman and Automation Printing Company (Appellant) filed a Notice of Appeal challenging the decision denying verification of Appellant as a Woman-owned Business Enterprise (WBE) under the Commission's General Order (GO) 156. Appellant alleged that Asian, Inc. (Respondent), administrator of the Supplier Clearinghouse established under GO 156, improperly denied Appellant's verification as a WBE.

A prehearing conference was scheduled for September 30, 2010, but Appellant's son, Mr. Dan Tobman, postponed it due to his mother's ill health. Mr. Tobman subsequently informed the assigned Administrative Law Judge (ALJ) that the 87-year-old Ms. Tobman has substantial continuing health problems which prevent her from participating in the appeal or exercising day-to-day supervision of the business, a requirement for verification as a WBE. Neither Mr. nor Ms. Tobman have made further contact with the assigned ALJ.

Public Utilities Code Section 311(g)(1) requires that a draft resolution be served on all parties, and be subject to a public review and comment period of 30 days or more, prior to a vote of the Commission on the resolution. A draft of today's resolution was distributed for comment to the interested parties.

Therefore, based on Ms. Ann Tobman's and Automation Printing Company's failure to prosecute the appeal, **IT IS ORDERED** that Appeal number General Order 156 2010-01 is dismissed under Pub. Util. Code § 308 and Resolution A-266, effective today.

General Order 156 2010-01 is closed.

Dated _____, 2011, at San Francisco, California.

PAUL CLANON
Executive Director

INFORMATION REGARDING SERVICE

I have provided notification of the foregoing Draft Resolution ALJ-266 to the electronic mail addresses on the attached service lists, as well as a Notice of Availability by U.S. mail. I have served a hard copy of the foregoing Draft Resolution ALJ-266 by U.S. mail on those persons on the attached service lists that do not have e-mail addresses.

Dated January 25, 2011, at San Francisco, California.

/s/ OYIN MILON

Oyin Milon