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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on
Regulations Relating to Passenger
Carriers, Ridesharing, and New
Online-Enabled Transportation Services.

Rulemaking 12-12-011

**THIRD AMENDED PHASE III. C. SCOPING MEMO AND
RULING OF ASSIGNED COMMISSIONER**

This *Third Amended Scoping Memo and Ruling* for Phase III of this proceeding (*Third Amended Phase III. C. Scoping Memo*) sets forth the category, issues, need for hearing, schedule, and other matters necessary to scope this proceeding pursuant to Public Utilities (Pub. Util.) Code § 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure.¹

1. Background

Commencing with Decision (D.) 13-09-045, the Commission adopted rules and regulations to protect public safety while allowing Transportation Network Companies (TNC) to provide transportation services in California.² As more information about the TNC industry and their business models became known, the Commission has issued additional decisions to maintain the appropriate regulatory oversight necessary to promote public safety but without stifling an

¹ California Code of Regulations, Title 20, Division 1, Chapter 1; hereinafter, Rule or Rules.

² The Commission's assertion of authority over TNCs has been confirmed by the Legislature with the enactment of Pub. Util. Code § 5430 *et seq.*, particularly §§ 5440 and 5441. (*See* Ch. 389, Sec. 1 Assembly Bill (AB) 2293, Effective January 1, 2015.)

industry offering a mode of transportation that has gained widespread public support in California.

In accordance with Ordering Paragraph 19 of D.16-04-041, the *Scoping Memo and Ruling* dated October 26, 2016 opened a Phase III in this proceeding, and Phase III was broken down into two sub phases: III. A. and III. B. While many of the scoped issues from Phases III. A. and B. have been resolved, there are still some issues that require further Commission analysis and investigation before final decisions can be issued. As a result, the previous *Scoping Memo* dated April 27, 2018, opened Phase III. C. in order to address issues not yet resolved from Phase III. B., as well as any new issues that have come to the Commission's attention while performing its duty to ensure that the TNCs operate in a manner consistent with the authority that the Commission has granted them.

On June 9, 2020, I issued my *Second Amended Phase III. C. Scoping Memo* which supplemented and clarified the scope of this proceeding by adding additional questions to issues previously scoped and adjusting the ordering of the subject tracks. With respect to trip data, the *Second Amended Phase III. C. Scoping Memo* incorporated by reference the questions regarding trip data that were set forth in the *Amended Phase III. B. Scoping Memo and Ruling* dated June 12, 2017, the *Phase III. C. Scoping Memo and Ruling* dated April 27, 2018, and the *Assigned Commissioner's Ruling Seeking Comments on Proposed Data Reporting Requirements*, dated February 8, 2019. As directed by this or subsequent rulings, parties were encouraged to file additional comments to the previously scoped issues to the extent their comments raised new issues. Otherwise, in their comments, the parties were given the option of referring the Commission to their previously filed comments. There were two important developments that impacted the issuance of the *Second Amended Phase III. C. Scoping Memo*: first, the

reporting of sexual assault and sexual harassment claims; and second, the applicability of AB 5 on TNC drivers.

Since the *Second Amended Phase III. C. Scoping Memo*'s issuance on June 9, 2020, a further issue has developed that has necessitated the issuance of this *Third Amended Phase III. C. Scoping Memo* – the differing taxonomies utilized to define sexual assault and sexual harassment, and how these differing taxonomies impact the scope and accuracy of the information each TNC provides in its Annual Reports. Also related to the Annual Reports is whether the Commission should end the presumption of confidentiality attendant to the Annual Reports submitted from 2014 to 2019, so that these reports, or significant portions thereof, should be released to the public. These issues are addressed in the next section.

2. Recent Developments Impacting the Scope of the Issues

2.1. The Need for TNCs to Utilize Uniform Sexual Assault and Sexual Harassment Taxonomies in Preparing Their Annual Reports for 2022 and Thereafter

The need for uniform sexual assault and sexual harassment taxonomies has been a growing concern for the Commission as it reviewed each TNC's Annual Report, and this *Third Amended Phase III. C. Scoping Memo* will use Uber Technologies, Inc. (Uber) and Lyft, Inc. (Lyft) as examples since these two TNCs occupy more than 99.9 percent of the TNC market in California. With respect to Uber, for its 2017-2019 Annual Reports, Uber did not provide a definition of assault or harassments. Instead, for sexual assault, Uber reported attempts or completed physical contact of a sexual nature. For sexual harassment, Uber reported non-contact unwanted experiences and reported behavior of a sexual

nature that is without consent or has the effect of threatening or intimidating a user against whom the conduct is directed.

Uber adopted a more expansive approach to identifying sexual assault and sexual harassment claims in 2019 when Uber published its December 5, 2019, *US Safety Report* that identified 5,981 incidents of claimed sexual assault and sexual harassment that allegedly occurred in 2017 and 2018, 1,243 of which occurred in California. In that *US Safety Report*, Uber utilized the following definitions of sexual assault and sexual harassment:

Sexual assault: Based on the Sexual Misconduct and Sexual Violence Taxonomy, sexual assault is defined as any physical or attempted physical contact that is reported to be sexual in nature and without the consent of the user. This can include incidents within the taxonomy ranging from Attempted Touching of a Non-Sexual Body Part (*e.g.*, a user trying to touch a person's shoulder in a sexual/romantic way) to Non-Consensual Sexual Penetration.

Sexual misconduct: The Sexual Misconduct & Sexual Violence Taxonomy defines sexual misconduct as non-physical conduct (verbal or staring) of a sexual nature that happens without consent or has the effect of threatening or intimidating a user against whom such conduct is directed. This can include incidents within the taxonomy ranging from Staring/ Leering to Verbal Threat of Sexual Assault.

Uber based its taxonomies on the information from *Helping Industries to Classify Reports of Sexual Harassment, Sexual Misconduct, and Sexual Assault*, a joint project of the National Sexual Violence Resource Center and the Urban Institute.

A similar evolution in the concepts of sexual assault and sexual harassment can be seen in Lyft's Annual Reports. From 2017 to 2019, Lyft used internally defined incidents of assault and harassment and grouped the incidents into incident categories that were defined by example. Next, prior to June of

2019, Lyft used the following definition of sexual assault from the Department of Justice: any nonconsensual sexual act proscribed by Federal, tribal, or state law, including when the victim lacks capacity to consent. More recently, on or about October 22, 2021, Lyft issued its *Community Safety Report (Community Report)*, in which it collected 4,158 reports of sexual assault, including 360 reports of rape, from 2017 through 2019. In its *Community Report*, Lyft defined sexual misconduct in accordance with the definitions developed by RALIANCE, a national partnership dedicated to ending sexual violence:

In November 2018, RALIANCE, a national sexual violence prevention organization, announced the Sexual Misconduct and Violence Taxonomy, a new form of categorization that created a uniform standard for reporting and classifying reported safety incidents that has been used so far by app-based companies. Lyft categorizes incident reports according to this taxonomy to better understand, analyze, prevent, respond to and address safety incidents on the platform. The taxonomy classifies sexual assault and misconduct into 21 categories. This report includes five of the most serious categories of sexual assault: Non-Consensual Sexual Penetration; Attempted Non-Consensual Sexual Penetration; Non-Consensual Kissing of a Sexual Body Part; Non-Consensual Touching of a Sexual Body Part; and Non-Consensual Kissing of a Non-Sexual Body Part.

Lyft has also utilized RALIANCE's taxonomy for sexual assault and sexual harassment since June of 2019 for reporting purposes in its Annual Reports.

Because potentially different taxonomies being used for sexual assault and sexual harassment claims could impact the total number and type of incidents reported in their Annual Reports, on September 22, 2021, the Commission's Consumer Protection and Enforcement Division sent out data requests to Uber and Lyft and asked that "for all Annual Reports provided to the CPUC from September 2017 to the present, provide a taxonomy list of assault and

harassment types (*i.e.* category) that was used to submit data for each of [Uber and Lyft’s] Assault and Harassment reports.” Uber and Lyft submitted their responses on October 12, 2021, and October 20, 2021, respectively. Based on the Commission review and evaluation of these responses, I believe that it will be beneficial to adopt standardized taxonomies for sexual assault and sexual harassment that the TNCs shall use in preparing their Annual Reports for 2022 and thereafter.

2.2. Should the 2014-2019 Annual Reports be Released to the Public?

In adopting D.20-03-014, this Commission eliminated the presumption of confidentiality that was given to TNC Annual Reports by D.13-09-045, footnote 42. While D.20-03-014 determined that any TNC wishing to withhold from the public information from its Annual Report would need to make a granular factual showing, the decision did not decide if Annual Reports submitted from 2014 through 2019 should also lose their confidentiality presumption. With this *Third Amended Phase III. C. Scoping Memo*, the Commission should decide if all or parts of the TNC Annual Reports submitted from 2014 through 2019 should be publicly disclosed.

3. Scope of the Issues

3.1. Sexual Assault and Sexual Harassment

- A. What definitions and taxonomies of sexual assault and sexual harassment, if any, should the Commission adopt that should be applicable to all TNCs subject to its jurisdiction in preparing their Annual Reports for 2022 and thereafter?
- B. What minimum training protocols, if any, should the Commission require TNCs to adopt to train its drivers that sexual assault and sexual harassment are punishable by law and must be prevented?

- C. What minimum standards, if any, should the Commission require TNCs to adopt for investigating and resolving claims of sexual assault and sexual harassment?
- D. What reporting requirements, if any, should the Commission adopt that TNCs must follow regarding claims of assault, harassment, sexual assault, and sexual harassment?

3.2. Disclosure of TNC Annual Reports from 2014 to 2019

- A. Should the Commission require each TNC to publicly disclose all or parts of its Annual Reports submitted for the years 2014 to 2019?
- B. Should any portions of the TNC Annual Reports submitted for the years 2014 to 2019 be redacted on privacy grounds?
- C. Should any portions of the TNC Annual Reports submitted for the years 2014 to 2019 be redacted on trade secret grounds?
- D. Should any and/or all portions of the TNC Annual Reports submitted for the years 2014 to 2019 be redacted on any other grounds?

3.3. Application of AB 5 to TNCs

This *Third Amended Phase III. C. Scoping Memo* acknowledges that the issues of whether AB 5 applies to TNCs, as well as the constitutionality of Proposition 22, are currently being litigated in the California courts. Once the litigation is concluded, the Commission can determine if AB 5 and Proposition 22 present any issues that must be resolved in this proceeding.

3.4. Accessibility (Previously Identified as Track 5)

The Commission opened a separate Rulemaking (R.) 19-02-012 to address the accessibility issues raised by Senate Bill (SB) 1376, and codified by Pub. Util. Code § 5440.5.³

3.5. Data Confidentiality, Collection, and Sharing Issues (Previously identified as Track 3)

3.5.1. Confidentiality Issues⁴

3.5.2. Granularity and Disaggregation of Trip Data Collected⁵

3.5.3. Sharing Exempted Trip Data with Interested Government Entities

1. If the Commission determines that any or all trip data collected from a TNC is exempt from public disclosure on either trade secrets, privacy, or any other established claim of confidentiality, should any or all exempted trip data be shared with interested government entities?
 - a. If so, how should the Commission determine which interested government entities receive the data (*e.g.*, metropolitan planning organizations, state and local transportation agencies, and the State Air Resources Board)?
2. If the answer to the above question is yes, should the exempted trip data be shared with interested government entities in a disaggregated format?
 - a. If so, what format should disaggregation encompass? For example, for each trip taken, should the data be reported as to the day of the week the trip occurred; the hour within which the trip started and ended; the zip

³ *Order Instituting Rulemaking to Implement Senate Bill 1376 Requiring Transportation Network Companies to Provide Access for Persons with Disabilities, Including Wheelchair Users who need a Wheelchair Accessible Vehicle.*

⁴ These issues were addressed in D.20-03-014.

⁵ The questions previously identified under this issue are being addressed by Commission staff in its instructions to the TNCs for completing their Annual Reports.

code or census block within which each trip started and ended; the passenger occupancy; and/or the trip service category (*e.g.*, pooled or nonpooled service)?

3. If any or all trip data collected from TNCs that is exempt from public disclosure is to be shared with interested government entities, should the exempted trip data be provided pursuant to a nondisclosure agreement? If so, what terms should be included in the nondisclosure agreement?
4. How should the information be made available to interested government entities? For example, should such information be hosted on the CPUC's website or by a third-party entity (*e.g.*, university, research institution, etc.)?

3.6. Transportation of Minors (Previously Identified as Track 6)

1. Should TNC apps be required to verify age and prohibit minors (18 and under, 16 and under?) from utilizing the app under any or all circumstances?
2. Should legal guardians of minors be allowed to authorize the transport of minors by drivers of TNCs that do not primarily market to children?
3. Should TNCs that don't primarily transport minors be required to allow only drivers who have been certified by Trustline to transport minors when authorized by legal guardians? What other requirements should be applied to these drivers or these rides?
4. Should rides to minors be reported separately by TNCs?
5. Should the TNCs be required to compile information on minors transported on their platforms or reports of trip cancellations due to suspicion of minors utilizing the app without proper authorization?
6. Should TNCs be required to provide drivers with the opportunity to expunge low ratings given in response

to trips cancelled due to suspicion or confirmation of a minor passenger?

7. Should there be a minimum age requirement to sign up to use a TNC app?

3.7. Catch-All Safety Category (Previously Identified as Track 7)

3.7.1. Insurance

1. Should insurance levels, or coverage requirements, for TNCs be revisited considering the findings of the report composed pursuant to Pub. Util. Code § 918.2?

3.7.2. Data Collection

1. Should TNC apps be barred from collecting user data when the user is not using the app?⁶
2. Should TNC apps – even when open – be barred from collecting certain types of user data, or be required to offer users the choice to not have certain types of data be collected?
3. For collected user data, should TNC apps be required to more clearly or specifically inform users of the types of data that will be collected, how the data may be used, and how user privacy will be maintained?

3.7.3. Driver Identification and Passenger Safety

1. Should TNC apps always display driver name/photo, license plate number, vehicle make/model, and vehicle color?
2. Should a TNC's trade dress be required to be reflective, illuminated, or otherwise visible in darkness?
3. Should TNC vehicles be equipped with front and rear or rear only dash cameras?

⁶ Uber's app on iPhones collects user data all the time rather than only when the app is on.

3.7.4. Hours of Service

1. Should there be a system (*e.g.*, TNC app or third-party data base) to track driver hours across multiple TNC platforms?
2. Should there be a system to receive TNC driver attestations on their hours logged on to multiple TNC platforms?

3.7.5. Vehicle Safety

1. Should the Commission impose requirements on TNCs to address safety recalls for vehicles used in TNC service?

3.7.6. Complaints, including Zero Tolerance Complaints

1. Should the Commission develop industry-wide zero tolerance standards under Safety Requirement D of D.13-09-045? If so, what types of protocols and standards should the Commission adopt?
2. Should the Commission expand the zero-tolerance policy of D.13-09-045 to include all incidents that involve a TNC, such as sexual assault and sexual harassment by drivers or passengers, transporting unaccompanied minors, theft, complaints of unsafe driving, and other safety issues?
3. Should TNCs be required to provide and prominently display a customer service telephone number with texting capabilities and/or e-mail address?

3.7.7. Incident Reporting

1. Should the Commission develop criteria and reporting requirements for all passenger carriers to report incidents of a pre-determined nature (*e.g.*, accidents involving buses, accidents and incidents resulting in bodily injuries or death, media-reported incidents, etc.)?
2. Are there other actions that should be included in zero-tolerance complaints besides the intoxicated

driving, sexual assaults, unsafe driving, and app sharing that should have a zero-tolerance policy?

3.7.8. App Sharing

1. Should the Commission impose explicit rules on the sharing of a driver app between an account holder and persons that have not complied with the safety requirements (*e.g.*, driver's license and criminal background check, and driving training) and not authorized by a TNC to drive on the account?
2. Should the TNCs be required to institute a zero-tolerance policy on the sharing of apps?
3. If an enforcement officer or police officer has evidence of app sharing, should the zero-tolerance also apply to any TNCs whose trade dress is displayed on the vehicle regardless if that TNC's app is on?
4. Should General Order 157-E, Part 11.16 be modified to require the driver to produce proof of identity, such as their driver's license along with the waybill to "...any Commission or airport enforcement officer, or to any official of a city, county, or city and county authorized to inspect waybills pursuant to Pub. Util. Code Section 5371.4(h)..."?
5. Should the TNCs be required to report on app sharing complaints and their resolution as part of their annual reporting of data to the Commission?

3.8. Autonomous Vehicles (Previously Identified as Track 8)

1. How should the Commission define what constitutes an "autonomous vehicle" (AV) used in prearranged passenger transportation service for-hire?
2. How should the Commission define what constitutes a "remote operator" of an AV used in prearranged passenger transportation service for-hire?
3. What requirements under the Charter-Party Carriers (TCP) Act and all applicable Commission decisions, rules, and

orders which apply to drivers physically present in vehicles should the Commission also adopt for “remote operators” of AVs used in prearranged passenger transportation service? What additional requirements should the Commission consider for the remote operators?

4. What amount of insurance coverage (*i.e.*, evidence of ability to respond to judgments for personal injury, death, or property damage) should the Commission require of a person or entity to provide prearranged passenger transportation service using AVs?
5. Should the Commission require that certain information, such as how to contact the person or entity authorized to provide prearranged passenger transportation service using AVs, be made available to passengers inside an AV operated without a driver in the vehicle?
6. Should the Commission require certain unique identifying information be made available on each AV, operated without a driver in prearranged passenger transportation service, to enable passengers to easily identify the exact AV offered for that trip?
7. Should the Commission require that a two-way communication link, between passengers and the person or entity authorized to provide prearranged passenger transportation service using AVs, be available and maintained at all times in each AV operated without a driver in the vehicle?
8. How should the information be made available to interested government entities? For example, should such information be hosted by a third-party entity (*e.g.*, university, research institution, etc.)?
9. Should the Commission designate a new regulatory category, such as Autonomous Vehicle Carrier (AVC), to authorize a person or entity to provide prearranged passenger transportation service using AVs operated without a driver in the vehicle?

10. In a new regulatory category, what requirements of TCP or TNC permit-holders under the TCP Act and all applicable Commission decisions, rules, and orders should the Commission also adopt in order to authorize a person or entity to provide prearranged passenger transportation service using AVs operated without a driver in the vehicle?
11. In a new regulatory category, what information should the Commission require to be reported by a person or entity authorized to provide prearranged passenger transportation service using AVs operated without a driver in the vehicle to the Commission; how often (*e.g.*, monthly, annually, per trip, etc.) should this information have to be reported to the Commission; and under what conditions, if any, should this information be made available to the public?
12. Should the Commission prohibit or impose any requirements on prearranged passenger transportation service to, from, or within airports using AVs operated without a driver in the vehicle?
13. Should the Commission prohibit or impose any requirements on prearranged passenger transportation for unaccompanied minors in AVs operated without a driver in the vehicle?
14. Should the Commission impose any requirements to ensure the safety of all passengers on the chartering by more than one party (*i.e.*, fare-splitting) of AVs operated without a driver in the vehicle?
15. Should the Commission modify D.13-09-045 to allow TNCs to own AVs or allow AVs leased or rented by TNCs from partnering entities on their online-enabled applications or platforms?
16. Should the Commission modify D.16-04-041 to allow inspections of AVs performed by the manufacturers of AVs to fulfill the inspection requirements for vehicles used to provide prearranged passenger transportation service using online-enabled applications or platforms?

17. Should the Commission modify the definition of “personal vehicle” pursuant to D.16-12-037 to include AVs used to provide prearranged passenger transportation service using online-enabled applications or platforms?

3.9. Vehicle Emissions Reductions

The Commission opened Rulemaking 21-11-014 to address implementation of SB 1014 (Skinner, 2018), the California Clean Miles Standard and Incentive Program, and other issues related to passenger carriers and greenhouse gas emissions.

3.10. Environmental and Social Justice Considerations

The Commission is committed to regulating essential service of the entities subject to its jurisdiction to protect consumers and safeguard the environment, thus assuring safe and reliable access to all Californians. To that end, the Commission has created an Environmental and Social Justice Action Plan (ESJ Plan) to serve as a commitment to furthering the Commission’s ESJ Plan through the decisions adopted in its proceedings. By environmental justice, the Commission refers to the fair treatment of people of all races, cultures, and incomes with respect to the Commission’s development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. As some populations in California face higher barriers to accessing clean, safe, and affordable utility services, the scope of this proceeding must be expanded to ensure that the decisions adopted are consistent with the goals of the Commission’s ESJ Plan.

4. Scheduling

Opening comments on whether to adopt consistent taxonomies for the reporting of sexual assault and sexual harassment claims in each TNC’s Annual

Reports for 2022 and thereafter (Section 3.1.) shall be filed and served by January 21, 2022.

Reply comments on whether to adopt consistent taxonomies for the reporting of sexual assault and sexual harassment claims in each TNC's Annual Reports for 2022 and thereafter (Section 3.1.) shall be filed and served by January 28, 2022.

Opening comments on the disclosure of TNC Annual Reports for 2014 to 2019 (Section 3.2.) shall be filed and served by February 11, 2022.

Reply comments on the disclosure of TNC Annual Reports for 2014 to 2019 (Section 3.2.) shall be filed and served by February 25, 2022.

Either I or one of the assigned ALJs will issue a subsequent ruling that sets a schedule for briefing for the remainder of the issues as well as for workshops.

5. Categorization

In the Order Instituting Rulemaking (OIR), issued on December 20, 2012, the Commission preliminarily determined that the category of the proceeding was quasi-legislative. The *Scoping Memo and Ruling* from Phase I of this proceeding, issued on April 2, 2013, confirmed that categorization.

6. Need for Hearing

The Commission in the OIR also preliminarily determined that hearings are not required. This *Third Amended Phase III. C. Scoping Memo* confirms that hearings are not needed.

7. Ex Parte Communications

In a quasi-legislative proceeding such as this one, *ex parte* communications with the assigned Commissioner, other Commissioners, their advisors, and the

ALJs are permitted without restriction or reporting as described at Pub. Util. Code § 1701.4(b) and Article 8 of the Rules.⁷

But with respect to communications with the ALJs, any party wishing to communicate with the ALJs, even as to a procedural matter, shall be by e-mail only, with the e-mail sent simultaneously to the proceeding service list.

An e-mail sent only to the ALJs will not receive a response.

Telephone calls to the ALJs will not be answered.

Telephone voice mail messages left with the ALJs will not be returned.

8. Assigned Commissioner and Assigned ALJs

Genevieve Shiroma is the assigned Commissioner. Robert M. Mason III and Debbie Chiv are the assigned ALJs.

9. Filing, Service, and Service List

Rule 1.10 sets out the general rules for service and filing of documents at the Commission. Parties must adhere to the following rules for this proceeding unless specifically instructed differently:

- When serving documents on my office, parties must only provide electronic service. Parties must NOT send hard copies of documents to me or my advisors unless specifically instructed to do so.
- As required by Rule 1.10, when serving document on the assigned ALJ(s), parties must provide both an electronic copy and a hard copy.

The official service list has been created and is on the Commission's website. Parties should confirm that their information on the service list is

⁷ Interested persons are advised that, to the extent that the requirements of Rule 8.1 *et seq.* deviate from Pub. Util. Code §§ 1701.1 and 1701.4 as amended by SB 215, effective January 1, 2017, the statutory provisions govern.

correct and serve notice of any errors on the Commission's Process office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.

When serving any document, each party must ensure that it is using the current official service list on the Commission's website.

Rules 1.9 and 1.10 govern service of documents only and do not change the Rules regarding the tendering of documents for filing. Parties can find information about electronic filing of documents at the Commission's Docket Office at www.cpuc.ca.gov/PUC/efiling. All documents formally filed with the Commission's Docket Office must include the caption approved by the Docket Office and this caption must be accurate.

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at process_office@cpuc.ca.gov to request addition to the "Information Only" category of the official service list pursuant to Rule 1.9(f).

10. Discovery

Discovery may be conducted by the parties consistent with Article 10 of the Commission's Rules. Any party issuing or responding to a discovery request shall serve a copy of the request or response simultaneously on all parties. Electronic service under Rule 1.10 is sufficient, except Rule 1.10(e) does not apply to the service of discovery and discovery shall not be served on the ALJ. Deadlines for responses may be determined by the parties. Motions to compel or limit discovery shall comply with Rule 11.3.

11. Public Advisor

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or who has questions about the electronic filing procedures is encouraged to obtain more information at

<http://consumers.cpuc.ca.gov/pao> or contact the Commission's Public Advisor at 1-866-849-8390 or 1-415-703-2074 or 1-866-836-7825 (TTY), or send an e-mail to public.advisor@cpuc.ca.gov.

12. Schedule for Completion

It is the Commission's intent to complete this proceeding within 18 months of the date this *Third Amended Phase III. C. Scoping Memo* is filed. This deadline may be extended by order of the Commission pursuant to Pub. Util. Code § 1701.5(a) and (b).

IT IS RULED that:

1. The category of this proceeding continues to be quasi-legislative.
2. The scope of the issues for Phase III. C. of this proceeding is as stated in Sections 2 and 3 of this *Third Amended Phase III. C. Scoping Memo*.
3. Hearings are not necessary.
4. *Ex parte* communications are permitted without restriction or reporting as described at Public Utilities Code § 1701.4(b) and Article 8 of the Commission's Rules of Practice and Procedure.

Dated December 9, 2021, at San Francisco, California.

/s/ GENEVIEVE SHIROMA

Genevieve Shiroma
Assigned Commissioner