

**PUBLIC UTILITIES COMMISSION**

505 VANNES AVENUE

SAN FRANCISCO, CA 94102-3298

**FILED**

09/23/22

10:43 AM

A2202017

September 23, 2022

**Agenda ID #20987**  
**Ratesetting**

TO PARTIES OF RECORD IN APPLICATION 22-02-017:

This is the proposed decision of Administrative Law Judge Wilson. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's November 3, 2022 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, *ex parte* communications are prohibited pursuant to Rule 8.2(c)(4).

/s/ ANNE E. SIMON

Anne E. Simon

Chief Administrative Law Judge

AES:mph

Attachment

Decision **PROPOSED DECISION OF ALJ WILSON** (Mailed 9/23/2022)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Traci.net Inc. for Registration  
as an Interexchange Carrier Telephone  
Corporation pursuant to the Provisions of  
Public Utilities Code Section 1013.

Application 22-02-017

**DECISION DISMISSING APPLICATION WITHOUT PREJUDICE FOR  
FAILURE TO PROSECUTE****Summary**

Application 22-02-017 is dismissed without prejudice for failure to prosecute.

**1. Background**

On February 28, 2022, Traci.net Inc. (Traci.net) filed Application (A.) 22-02-017.<sup>1</sup> On June 10, 2022, Traci.net filed an Amendment to Exhibit F of A.22-02-017.

On July 28, 2022, the assigned Administrative Law Judge (ALJ) issued a ruling setting a Prehearing Conference (PHC) for August 25, 2022.

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<sup>1</sup> Traci.net initially sought registration authority but the application was elevated to a formal application for a Certificate of Public Convenience and Necessity because applicant was not eligible to use the registration process.

On August 9 and 16, 2022, the assigned ALJ issued two separate Rulings Requesting Information (Ruling), both of which required responses within 10 days of the date of each Ruling. Traci.net failed to appear at the PHC and failed to contact the assigned ALJ regarding the failure to appear. Traci.net also failed to respond to the August 9 Ruling. As a result, the assigned ALJ issued a further ruling on August 25, 2022, requiring responses to both Rulings by August 30, 2022. Traci.net failed to respond to all ALJ rulings.

## **2. Discussion and Conclusion**

Due to Traci.net's failure to file and serve responses to ALJ Rulings, attend the duly noticed PHC, and comply with Commission requirements for the granting of a CPCN, A.22-02-017 is dismissed for failure to prosecute.

The application is dismissed without prejudice. If Traci.net decides to file a new application for a CPCN, it must reference this proceeding in the subsequent application.

## **3. Comments on Draft Decision**

The proposed decision of the ALJ Seaneen Wilson in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on \_\_\_\_\_, and reply comments were filed on \_\_\_\_\_ by \_\_\_\_\_.

## **4. Assignment of Proceeding**

John Reynolds is the assigned Commissioner and Seaneen Wilson is the assigned ALJ in this proceeding.

**O R D E R**

**IT IS ORDERED** that:

1. Application 22-02-017 is dismissed without prejudice.
2. Application 22-02-017 is closed.

This order is effective today.

Dated \_\_\_\_\_, at Chico, California.