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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Luis Enrique Landa Rodriguez,
Complainant,

vs.

Pacific Bell d/b/a AT&T California
and AT&T Mobility Wireless
Operation Holdings d/b/a AT&T
Mobility,

Defendants.

(ECP) Case 25-11-008

**CHIEF ADMINISTRATIVE LAW JUDGE RULING DENYING COMPLAINANT'S
MOTION FOR DISQUALIFICATION OF ASSIGNED ADMINISTRATIVE LAW
JUDGE FOR CAUSE**

This ruling denies Complainant's Motion for Disqualification of the Administrative Law Judge (ALJ) assigned to this proceeding for cause (Motion). After consultation with President John Reynolds, I find that the facts alleged do not show bias or merit disqualification, and are based on a misinterpretation of the Commission's Rules of Practice and Procedure.

Complainant appears to allege that he was treated differently and unfairly by the assigned ALJ in a series of communications via email between Complainant and the ALJ, as compared to emails from Defendants to Complainant that were not sent to the ALJ or the service list.

The communications at issue are different: one set involved a decisionmaker (the ALJ) and the other did not. The ALJ shared the Commission's service requirements with Complainant for communications with decisionmakers when Complainant sent an email to the ALJ without serving the service list. However, the ALJ was not required to do anything regarding Defendants' substantive emails to Complainant because no decisionmaker was included on them.

Rule 8.2(c)(3)(A) of the Rules of Practice and Procedure allow for written communications with decisionmakers on procedural matters when they are served on all parties. Thus, the ALJ's emails to Complainant do not establish bias or a basis for disqualification. Indeed, Complainant acknowledges there may be no basis for a claim of bias:

Complainant does not contend that an adverse ruling, standing alone, establishes bias, and does not ask the Chief Administrative Law Judge to infer improper motive from conduct that [the ALJ] may not have known about. Rather, Complainant asks for review of the circumstances described below and a determination whether reassignment is warranted under Rule 9.4.

Complainant acknowledges the ALJ did not know of Defendants' communications with Complainant:

Complainant expressly acknowledges that the present record does not establish that [the ALJ] knew of the communications [above] Complainant therefore does not offer those communications as proof that [the ALJ] deliberately permitted Defendant to disregard a requirement imposed on Complainant.

Complainant nevertheless raises these circumstances because service-list compliance has been expressly addressed with Complainant during the reopened proceeding, and because the different practical treatment of communications between the parties has caused Complainant, who is self-

represented, to question whether procedural requirements are being applied evenhandedly.

Defendants' emails to Complainant did not require instruction from the ALJ because there was no communication between the Defendants and a decisionmaker. There is no prohibition on a defendant communicating with a complainant, as occurred here, outside the presence of other parties or decisionmakers. It is often necessary for both sides of a dispute to communicate, and such communication occurs in virtually every case before the Commission. Thus, the Defendants' emails to Complainant were not inappropriate, and the ALJ was not required to instruct Defendants regarding service because the ALJ was not included in any of Defendants' emails to Complainant.

Nor were the ALJ's procedural emails to Complainant evidence of bias, because such procedural communications are appropriate under the Commission's rules. The ALJ simply informed Complainant by email of the Commission's service requirements since Complainant had sent an email only to the ALJ.

By explaining the Commission rules regarding service, the ALJ's emails of September 25, 2026 and October 1, 2026 were appropriate procedural guidance to Complainant who has not appeared before the Commission in the past.

IT IS RULED that Complainant's Motion is denied.

Dated: October 8 2026, at San Francisco, California.

/s/ MICHELLE COOKE

Michelle Cooke
Chief Administrative Law Judge