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**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Resolution ALJ-498
Administrative Law Judge Division
October 29, 2026

# R E S O L U T I O N

RESOLUTION ALJ-498 Establishing an Examiner Delegated Application designation and streamlining its assignment.

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## SUMMARY

This resolution clarifies and streamlines the process the California Public Utilities Commission (Commission) will use for applications statutorily delegated for expedited review to an Examiner. The Commission has approved processes for the review of individual types of delegated applications through Commission decisions. However, the intake process for handling such delegated applications requires further streamlining to prevent delay and avoid confusion.

Under the process adopted through this resolution, these delegated applications will be designated as Examiner Delegated Applications (EDA) in the description on the docket card for the proceeding. Also, once an EDA proceeding is so labeled, it will be directly designated as uncategorized and will not be included in the preliminary categorization resolution approved at a Commission agenda meeting.

EDA proceedings are recognized as informal proceedings; they are uncategorized and ex parte rules, as well as many other Rules of Practice and Procedure, do not apply, unless specified. EDA proceedings are reassigned if protests, motions, or other factors requiring a formal review process remove them from consideration under the delegated review process.

**BACKGROUND**

The Commission has authority to delegate certain noncontroversial matters to an Examiner pursuant to statute for review, with the matter addressed through an Executive Director Order or by resolution. Currently, registrations to operate as a telephone corporation, applications for certificates of public convenience and necessity (CPCN) to operate as passenger stage corporations, and exempt railroad applications are delegated for review by an Examiner.

A telecommunications corporation may seek registration to operate as a telephone corporation pursuant to Public Utilities (Pub. Util.) Code Section 1013.[1] The registration is reviewed by an Examiner, which is designated as the Director of the Communications Division. Registrations are resolved through issuance of an Executive Director Order. If the application does not meet the requirements of the simplified registration process, the proceeding is reassigned for review under the formal application process for a CPCN pursuant to Pub. Util. Code Section 1001.

Similarly, the Commission adopted a simplified process for Passenger Stage Corporations (PSC) requesting a CPCN to operate.[2] PSC applications are reviewed by an Examiner, which is designated as the Director of the Consumer Protection and Enforcement Division (CPED)[3] and approved by Executive Director Order.[4] If the application does not meet the requirements for review under the simplified process, it is reassigned for review as a formal application pursuant to Pub. Util. Code Section 1031.

Finally, the Commission adopted a process to approve exempt railroad applications in resolution SX-171 whereby "exempt railroad applications" are delegated for review to the Examiner, which is the Director of the Rail Safety Division, and the applications are approved by resolution.[5] If the application does not meet the requirements for review pursuant to resolution SX-171, it is

[1] Decision (D.) 24-11-003, Appendix B (Sample Form and Summary of 1013 Registration Process).

[2] D.15-05-029; Pub. Util. Code Sections 1031 and 1032(d).

[3] This Division includes the Transportation Licensing and Enforcement Branch.

[4] D.15-05-029; Pub. Util. Code Section 1032(d).

[5] Senate Bill (SB) 544 (Laird 2025); Pub. Util. Code Section 1205.5.

reassigned for review as a formal application pursuant to Pub. Util. Code Sections 1201 to 1205.

## DISCUSSION

The Commission currently treats delegated application intake through the formal proceeding process. The delegated applications are designated as uncategorized in the preliminary categorization resolution adopted pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure. However, delegated applications typically use standard forms and prescribed content and are therefore readily identifiable as delegated applications for the purpose of identifying them as uncategorized. Therefore, classifying them as uncategorized in the preliminary categorization resolution is not necessary.

This resolution removes delegated applications from the preliminary categorization process. By this resolution, delegated applications will be marked as uncategorized proceedings during the initial e-filing acceptance process, which will streamline and expedite their intake and review.

This resolution also adds the "EDA" designation to the description of the proceeding, similar to the "ECP" designation of expedited complaint procedure proceedings reviewed pursuant to Rule 4.6 of the Commission's Rules of Practice and Procedure. This is needed to avoid confusion for applicants regarding the process used by the Commission to review an EDA application. EDA designated applications will use the protocol set by Commission order in accordance with the enabling statute for each type of application delegated to examiner review, with the Commission's existing delegated application types discussed in the Background section above.

Finally, this resolution clarifies that EDA designated applications go through informal processes, are uncategorized applications,[6] and the Commission's ex parte rules do not apply for EDA designated applications that are approved by Executive Director Order.

A final order means the date when the period to apply for a rehearing has been filed, or if an application for rehearing is filed, the date when the period to seek judicial review of the decision finally resolving the application for rehearing has

[6] Since the proceeding is uncategorized, the proceeding is resolved without a prehearing conference, scoping memo, law and motion, testimony, hearings, briefing, or a proposed and final decision.

passed without any party seeking judicial review; or if judicial review is sought, the date any court cases are finally resolved.

EDA designated applications will be implemented in a manner that ensures adherence to the legal obligations under the Bagley-Keene Open Meeting Act, and conflict-of-roles prohibitions.

The following actions may remove an EDA designated application from the delegated process: (1) a protest is filed to the application; (2) a determination is made by the industry division that the application does not qualify for the delegated process; or (3) any action is taken by the applicant or another interested person which requires resolution through the formal application process, including but not limited to filed motions. If none of these actions takes place, the application is approved or dismissed by Executive Director Order or by resolution issued by the assigned Industry Division. If the application is removed from the EDA process, the Commission reviews it as a formal application.

Upon reassignment of an EDA designated application to an assigned Commissioner and an assigned ALJ, the EDA designation will be removed from the description of the proceeding to indicate that the application is now subject to the Commission's requirements for formal proceedings, including compliance with the Commission's Rules of Practice and Procedure for an application. A reassignment notice will be issued on the proceeding's docket card, notifying the applicant that the reassignment has occurred and providing practitioner guidance, as needed.

## COMMENTS

The draft resolution was served on persons signed up for the mailing list to review Notice of Amendments to the Commission's Rules of Practice and Procedure as well as on Rulemaking (R.) 09-12-001 and R.22-08-008 and made available for public review and comment in accordance with Pub. Util. Code Section 311(g)(1) and Rule 14.5. No comments were served in response to this resolution.

## FINDINGS

1. The Commission delegated review of registrations by telephone corporations to Examiner review and approval by Executive Director Order.

2. The Commission delegated review of applications for a CPCN to operate as a PSC to Examiner review and approval by Executive Director Order.
3. The Commission delegated review of exempt railroad application to Examiner and approval by resolution.
4. Delegated applications typically use standard forms and the content is prescribed.
5. Delegated applications for each type of delegated application are always assigned to the same Examiner.
6. Designating delegated applications as uncategorized directly during the initial e-filing acceptance process will streamline and expedite intake and review.
7. The following actions may remove an EDA designated proceeding from the expedited process: (1) a protest is filed to the application; (2) a determination is made by the industry division that the application does not qualify for the EDA process; or (3) any action is taken by the applicant or another interested person which requires resolution through the formal application process, including but not limited to filed motions.
8. The Commission's Docket Office may assign an EDA proceeding label to applications delegated to an Examiner for expedited review.

9. EDA proceedings need not involve a categorization, a PHC, a scoping memo, application of the ex parte rules or other aspects of the Rules of Practice and Procedure, unless specified herein.

10. EDA designated applications will be implemented in a manner that ensures adherence to the legal obligations under the Bagley-Keene Open Meeting Act, and conflict-of-roles prohibitions.

**THEREFORE, IT IS ORDERED** that:

1. The Commission adopts the Examiner Delegated Application designation for applications delegated to an Examiner for expedited review.

2. The Commission will designate applications delegated to Examiner review as uncategorized during the initial e-filing intake process.

This resolution is effective today.

The foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on October 29, 2026 at San Francisco, California; the following Commissioners voting favorably thereon:

JOHN REYNOLDS
President
DARCIE L. HOUCK
KAREN DOUGLAS
MATTHEW BAKER
CHRISTINE HARADA
Commissioners