

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

Resolution ALJ-412  
Administrative Law Judge Division

**RESOLUTION**

RESOLUTION ALJ-412. Adopts Rules For Public Comment At Business Meetings.

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**SUMMARY**

Pursuant to Government Code Section 11125.7, the California Public Utilities Commission (Commission) may adopt reasonable regulations to provide an opportunity for members of the public to directly address the state body on each agenda item before or during its discussion or consideration of the item. This resolution replaces the rules for public comment at Commission business meetings adopted in Resolution ALJ-252.

The Commission welcomes public comment at its business meetings. These public comment rules enable Californians to exercise their right to be heard by the Commission, and to allow the Commission to conduct business in a timely manner.

In 2010, Resolution ALJ-252 adopted rules for public comment at business meetings in compliance with the Bagley-Keene Open Meeting Act, including the following Government Code Sections: 11125.7(a), which generally provides members of the public an opportunity to comment on items that are on a state body's meeting agenda; 11125.7(b), which permits a state body to adopt reasonable regulations for public comments; 11125.7(e), which states that the opportunity to comment does not apply to closed session items; 11125.7(h), that exempts adjudicatory matters that have gone to hearing from the opportunity to comment, and that excludes those who have already participated in the proceedings underlying an agenda item from the opportunity to comment; and 11126.5, which addresses the removal of disruptive persons.

This resolution adopts the following rules for public comment at the Commission's business meetings:

- Rule 1. The Public Advisor's Office is authorized to provide instructions on the Commission's website for public comments. The Commission may allow public comment remotely in accordance with these instructions. These instructions will include the process for signing up to speak, the maximum speaking time for speakers, and the order of speakers. These

instructions will be consistent with this resolution and the Bagley-Keene Open Meeting Act. Instructions will be posted to the Commission's website at least 72 hours before the beginning of the meeting to which they apply.

- Rule 2. Individuals with a shared position are encouraged to appoint a spokesperson to speak for their group. A speaker cannot cede time to another speaker.
- Rule 3. The Commission President<sup>1</sup> may adjust the amount of time for each speaker or the order of speakers. The Commission President will declare when the Public Comment Session is closed. No speakers will be accommodated after the Public Comment Session is closed.
- Rule 4. Speakers may address any topic, with the following exceptions:
- a. Topics that are not subject to the Commission's jurisdiction.
  - b. Adjudicatory matters referenced in Government Code § 11125.7(h).
  - c. Parties to a proceeding cannot speak to issues related to the proceeding to which they are a party.
- Nothing in Rule 4 abridges the Commission's ability to limit public comment on items on the Closed Session agenda, where such limits accord with the 72-hour requirement contained in Rule 1.
- Rule 5. If a speaker raises a topic that is not permitted under Rule 4 above, the Commission President may stop the speaker.
- Rule 6. Individuals in need of interpreters or other reasonable accommodations must contact the Public Advisor's Office at least three business days in advance of the meeting. Reasonable accommodations will be provided free of charge. Public speakers who require interpreters or other reasonable accommodations shall be given at least twice the time limit for other speakers.
- Rule 7. Signs brought by meeting attendees into the Commission meeting room are limited to 8 ½ by 11 inches in size. Signs brought into the Commission meeting room must be kept in the possession of attendees, must not be attached to walls or doors, and must not obstruct the view of any other attendee. Sticks or any other type of handle are strictly

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<sup>1</sup> All references to Commission President will also refer to the Commissioner chairing the meeting in the absence of the Commission President.

prohibited. Larger signs, or signs with handles, must be left outside of the security screening.

Rule 8. Attendees may not distribute written materials to attendees inside the Commission meeting room during the meeting.

Rule 9. The Commission retains the right to remove disruptive attendees from the Commission meeting.

Rule 10. The Commission may waive or override the above rules in case of emergency, to maintain the orderly conduct of the meeting, or for other unforeseen circumstances.

**COMMENTS**

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 served on all persons on the service list maintained by the Commission for the purpose of providing notice of proposed revisions to the Rules of Practice and Procedure. Comments were received on December 29, 2021 from The Utility Reform Network. This resolution incorporates several recommendations of The Utility Reform Network.

**IT IS RESOLVED** that:

1. The rules for public comment at Commission business meetings in this resolution are adopted.
2. The rules in this resolution replace the rules adopted in Resolution ALJ-252.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on \_\_\_\_\_, the following Commissioners voting favorably thereon:

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RACHEL A. PETERSON  
Executive Director