

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Resolution ALJ-427
Administrative Law Judge Division
November 17, 2022

RESOLUTION

RESOLUTION ALJ-427 Resolves K.22-06-016, the Appeal of Agility Communications and Technology Services Company U1242C from Citation No. CD-2022-06-001 issued by the Communications Division.

SUMMARY

This Resolution resolves the Appeal of Agility Communications and Technology Services Company U1242C from Citation No. CD-2022-06-001, issued on June 22, 2022, by the Communications Division.

CITATION APPEAL AND APPELLANT'S WITHDRAWAL OF APPEAL

On June 22, 2022, the Communications Division issued Citation No. CD-2022-06-001 to Agility Communications and Technology Services Company U1242C (Agility) for violating the Commission's requirement that carriers report intrastate revenue and remit Public Purpose Program surcharges (and user fees, if applicable) and was fined \$1,000. The resolution and Public Utilities Code Sections violated were Resolution T-17601, and Public Utilities Code Sections 247.1, 285, 702, 2101, 2107, and 2108.

On June 27, 2022, Agility filed its Notice of Appeal.

On July 7, 2022, Communications Division filed its Compliance Filing pursuant to Resolution ALJ 377.

The assigned Administrative Law Judge (ALJ) scheduled the evidentiary hearing for Agility's Citation Appeal for October 10, 2022. On the morning of October 10, 2022, the assigned ALJ was advised that Agility and Communications Division had discussions and that Agility now wished to withdraw its Citation Appeal and pay the \$1,000 fine. The parties were instructed to appear at the hearing so that Agility's intentions could be confirmed on the record. Mr. Cory Taylor, Agility's CEO, appeared at the evidentiary

hearing via WebEx and confirmed that Agility wished to withdraw its Citation Appeal and would pay the \$1,000 fine.

RESOLUTION OF CITATION APPEAL

Based on Agility's representation on the record at the evidentiary hearing that it wishes to withdraw its Citation Appeal and pay the \$1,000 fine, the Commission dismisses Agility's Citation Appeal with prejudice.

COMMENTS

No public review or comment is required for this resolution pursuant to Rule 14.7.

ASSIGNMENT OF PROCEEDING

Robert M. Mason III is the assigned ALJ for this citation appeal.

THEREFORE, IT IS ORDERED that:

1. The appeal of K.22-06-016, the Appeal of Agility Communications and Technology Services Company from Citation No. CD-2022-06-011 is dismissed with prejudice.

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 November 17, 2022, the following Commissioners voting favorably thereon:

 /s/ RACHEL PETERSON

Rachel Peterson
Executive Director

ALICE REYNOLDS
President

CLIFFORD RECHTSCHAFFEN
GENEVIEVE SHIROMA
DARCIE L. HOUCK
JOHN REYNOLDS

Commissioners