

From: Zhang, Zhen <Zhen.Zhang@cpuc.ca.gov>

Sent: Monday, May 4, 2020 8:16 AM

To: lortega onemillionniu.org <lortega@onemillionniu.org>; hyepin@gmail.com; mail@bbala.org; jtseng@hillfarrer.com; Shek, Selina <selina.shek@cpuc.ca.gov>; dfong@apcf.org; Robert Silverman <rms2979@aol.com>; Hom, Brian <Brian.Hom@cpuc.ca.gov>; Lo, Jeanette <jeanette.lo@cpuc.ca.gov>; Sastra, Rudy <rudy.sastra@cpuc.ca.gov>; Baldwin, Vanessa <vanessa.baldwin@cpuc.ca.gov>

Cc: Goldberg, Sandy <Sandy.Goldberg@cpuc.ca.gov>; Colbert, W. Anthony <W.Anthony.Colbert@cpuc.ca.gov>; ALJ Docket Office <ALJ_Docket_Office@cpuc.ca.gov>; ALJ_Support ID <alj_supportid@cpuc.ca.gov>

Subject: I.18-07-009, Email Ruling Denying Community Union's Request to Reschedule May 4, 2020 Case Management Conference

At 7:15 p.m. on Friday, May 1, 2020, Community Union submitted to Administrative Law Judge Zhang a request to reschedule the May 4, 2020 case management conference. The request was submitted after business hours on the Friday before the Monday case management conference. Community Union had notice since April 9, 2020 of the May 4, 2020 case management conference. On April 29, 2020, Administrative Law Judge Zhang sent the service list additional information regarding the case management conference and the agenda. Community Union has had adequate notice of the May 4, 2020 case management conference. Community Union's request is untimely.

Community Union states that it is under extreme financial pressure. Despite financial pressure and/or hardship, Community Union has not stated any reasons that indicate it is prohibited from calling into a telephonic conference.

Community Union states that the case management conference should be rescheduled to allow for the participation of Korean Churches for Community Development (KCCD). Community Union intends to oppose the joint motion for approval of proposed settlement by Consumer Protection and Enforcement Division (CPED) and KCCD. These reasons do not support delaying the case management conference today for two reasons. First, the case management conference today will address matters specific to Community Union. Second, the

Commission will address Community Union's opposition to the motion for approval of settlement when it is filed. Community Union participated in alternative dispute resolution with CPED and KCCD from February, 2019 to February, 2020. Community Union knew of the results of the alternative dispute resolution. CPED's and KCCD's motion for approval of proposed settlement is not a surprise. Community Union may oppose the settlement regardless of the case management conference.

For the reasons stated above, Community Union's request is denied.

IT IS SO RULED.

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.

Zhen Zhang

Administrative Law Judge
California Public Utilities Commission
zz1@cpuc.ca.gov

Notice: This communication may contain confidential and/or legally privileged information for the use of the intended recipient(s). Unauthorized use or disclosure is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: lortega onemillionniu.org <lortega@onemillionniu.org>
Sent: Friday, May 01, 2020 7:15 PM
To: Zhang, Zhen <Zhen.Zhang@cpuc.ca.gov>; hyepin@gmail.com;
mail@bbala.org; jtseng@hillfarrer.com; Shek, Selina <selina.shek@cpuc.ca.gov>;
dfong@apcf.org; Robert Silverman <rms2979@aol.com>; Hom, Brian
<Brian.Hom@cpuc.ca.gov>; Lo, Jeanette <jeanette.lo@cpuc.ca.gov>; Sastra,
Rudy <rudy.sastra@cpuc.ca.gov>; Baldwin, Vanessa
<vanessa.baldwin@cpuc.ca.gov>
Cc: Goldberg, Sandy <Sandy.Goldberg@cpuc.ca.gov>; Colbert, W. Anthony
<W.Anthony.Colbert@cpuc.ca.gov>
Subject: Request to Reschedule: I.18-07-009, May 4, 2020 Case Management
Conference

ALJ Zhang:

Please accept this late request to reschedule the Case Management Conference set for May 4, 2020 on the matter of the OII 18-07-009. My sincere apologies for

the late notice. I am currently under extreme amount of financial pressure during this Covid-19 crisis. Our principal means of business is with schools, and with the schools now closed, this has put us under great financial hardship.

I sincerely apologize, but it took me until this moment to fully understand the Joint Motion to Dismiss made by KCCD and CPED. Community Union intends to file a Motion to Oppose the Settlement Agreement made by a Joint Motion to Dismiss by KCCD and CPED.

In so doing, I respectfully ask ALJ Zhang to make KCCD a participant in the Case Management Conference, if rescheduling is granted. KCCD is the Fiscal Agent in this matter and their alleged inability to execute their role as Fiscal Agent is intended to be debunked by the facts we will present in our Motion to Oppose the Settlement Agreement. A sampling of those facts are listed below:

1. KCCD was paid every quarter for the work they performed as Fiscal Agent, based on payroll records that were marked-up to reflect amount of time spent performing Fiscal Agent duties, (See Exhibit A, attached file)
2. KCCD signed-off on a quarterly Declaration that represented all the information submitted to Communications Division for Reimbursement was true and correct, (See Exhibit B, attached file)
3. Community Union, in their role as a Sponsored Organization, routinely provided detailed emails to KCCD (the Fiscal Agent) pertaining to CASF's funding of California's One Million NIU, (See Exhibit C, attached file),
4. KCCD signed a document that is incorporated into the contract indicating they assume all responsibility: legal, administrative and financial (See Exhibit D, attached file).

Again, I sincerely apologize for the late notice on request for rescheduling Case Management Conference, but it is pertinent that KCCD continue to be party to the matter for the aforementioned reasons. The circumstances that forced this late Request were due to the extreme financial hardship Covid-19 crisis has caused.

Larry Ortega
For Community Union, Inc.