

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the California's One Million New Internet Users Coalition's Misuse of California Advanced Services Fund Grant Funds; and Order to Show Cause Why the Commission Should Not Impose Penalties and/or Other Remedies for Violating Terms of Their Grant and for Refusing to Return Funds Previously Demanded by the Commission's Division.

Investigation 18-07-009

**COMMUNITY UNION, INC.'S RESPONSE TO CONSUMER PROTECTION AND ENFORCEMENT DIVISION'S
MOTION OBJECTING TO COMMUNITY UNION'S WITNESS AND EXHIBIT LISTS**

Pursuant to Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC), Community Union, Inc. responds to Consumer Protection and Enforcement Division's (CPED) *Motion Objecting to Community Union's (CU) Witness and Exhibit List (Response)* .

By this Response, Community Union respectfully requests the ALJ to reject CPED's Motion Objecting to CU's Witness and Exhibit Lists. CPED in their moving papers cite on page 4, first paragraph "...the actual performance measures reported by CU on quarterly basis are not in dispute." This is in direct contradiction to the ALJ's ruling on disputed facts #'s 7, 8, 9 and 10 set forth during the May 4th hearing.

ALJ Zhang stated, in very clear terms, the disputed facts subject to cross examination are:

7. Did CU meet the performance metrics of 40 hours of technology training consistent with the work plan in the application,
8. Did CU meet Activities 1 – 7 of the Work Plan,

9. Did CU meet performance metrics of 1st 2 years (790) attendees per year in accordance with the Work Plan,

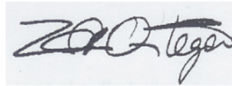
10. Did CU meet performance metrics 1st 2 years (514 graduates) enter post Internet users workshop.

The witnesses designated by CU in its Witness List will serve to prove by their own personal account said disputed facts were/are facts they themselves saw and will attest to for the purposes of supporting CU's position relating to these disputed facts.

CPED's Motion Objecting to CU's Witness and Exhibits List should be rejected on its face. Furthermore, CPED's action by this motion serves to waste the court's time in forcing review of frivolous items, in direct contradiction to the ALJ's ruling.

For the foregoing reasons, Community Union respectfully request ALJ Zhang reject CPED's Motion Objecting to CU's Witness and Exhibits List.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry Ortega", is placed over a light blue rectangular background.

By: Larry Ortega
For Community Union, Inc.
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Dated: August 11, 2020