



**FILED**

06/22/20  
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**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

**E-MAIL RULING GRANTING GRANTING  
CONSUMER PROTECTION AND ENFORCEMENT DIVISION'S  
MOTION TO COMPEL RESPONSES TO DATA REQUESTS**

Dated June 22, 2020, at San Francisco, California.

/s/ ZHEN ZHANG

Zhen Zhang  
Administrative Law Judge

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**Sent:** Monday, June 22, 2020 11:25 AM

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**Subject:** I.18-07-009, Email Ruling Granting CPED's Motion to Compel Responses to Data Requests

On July 21, 2017, Consumer Protection and Enforcement Division (CPED) propounded a data request to Larry Ortega and Community Union, Inc. (Community Union). Mr. Ortega and Community Union did not respond to the questions with their own answers or relevant documents. Instead, Mr. Ortega and Community Union provided CPED with a link to the State Controller Office's Audit Report. On February 21, 2020, CPED propounded a second data request that contained nearly identical questions to the 2017 data request. On March 25, 2020, CPED filed the "Motion of the Consumer Protection and Enforcement Division Compelling Responses to Data Requests From Larry Ortega and Community Union Inc. and Shortening Time for Response." (Motion).

During the May 4, 2020 status conference, the assigned Administrative Law Judge (ALJ) granted the Motion in part. In consideration of Mr. Ortega's claims of hardship and difficulties in reproducing documents, the ALJ ordered Mr. Ortega and Community Union to submit answers only to the questions by Friday, May 15, 2020. Each answer would address each topic of the data request question. After May 15, 2020, the parties were to communicate and meet remotely via Webex to determine the documents responsive to the data requests and how to make the documents available to CPED.

On June 9, 2020, the ALJ held a status conference. Since May 4, 2020, Mr. Ortega and Community Union has submitted partial responses. At the June 9, 2020 status conference, Mr. Ortega and Community Union stated that there were additional pertinent materials.

On June 18, 2020, the ALJ held a status conference to discuss CPED's supplemental staff report and an updated schedule. CPED informed the ALJ that the responses to the data requests were not complete. CPED asked for reconsideration of its Motion.

Mr. Ortega and Community Union has had more than adequate time to answer the questions of the July 21, 2017 data request and the February 21, 2020 data request. The piece meal production has inhibited CPED's ability to prepare the supplemental staff report. Because Mr. Ortega and Community Union did not answer the data requests in a timely fashion or completely, CPED was forced to seek from other organizations information that Mr. Ortega should have had, and should have provided to CPED, as the President of Community Union.

For good cause shown, CPED's Motion is granted. Mr. Ortega and Community Union are ordered to provide complete and full answers, including relevant documents, to the July 21, 2017 data request and the February 21, 2020 data request by Friday, June 26, 2020.

IT IS SO RULED.

**THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING.**

**Zhen Zhang**

Administrative Law Judge

California Public Utilities Commission

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