

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

September 22,
2017

2. Department

California Public Utilities Commission

3. Organizational Placement (Division/Branch/Office Name)

Executive

4. CEA Position Title

Director of Safety and Consumer Protection

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

Under the direction of the Executive Director, the Director of Safety and Consumer Protection will be responsible for creating policy on behalf of the executive branch and 5 commissioners. Through policy creation and administration, this CEA will provide policy direction to CPUC programs within the Consumer Protection and Enforcement Division (CPED) and the Safety Enforcement Division (SED), participating in the formulation of CPUC policy, and providing guidance within these program areas.

6. Reports to: (Class Title/Level)

Executive Director / Exempt

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Director of Safety and Consumer Protection shall report directly to the Executive Director and is responsible for establishing safety policies that influence the entire organization, and ultimately impacts the state's regulated utility community through establishing policies with only general direction of the Executive Director and advisement of the 5 Commissioners. This CEA will have significant executive level influence in guiding and directing the CPUC programs within the Consumer Protection and Enforcement Division (CPED) and the Safety Enforcement Division (SED), leading the formulation of CPUC policy, and providing program guidance within these areas.

The Director of Safety and Consumer Protection shall work closely with the Executive Director and the Commission's program managers to develop policies surrounding the programs of CPED and SED and to ensure ratepayer protections and ensure that the regulated industries are operated in a manner to ensure safety to all California ratepayers. The Director of Safety and Consumer Protection:

- Provides executive level management to all activities related to CPUC's safety, enforcement, and investigation responsibilities, including the development of new policies and the execution of all laws, regulations and commission orders. Manages operations, competencies, and performance of CPED and SED by continuously seeking process improvements on infrastructure safety oversight, handling consumer complaints and investigations of alleged or apparent violations of statutes and regulations by utilities, household goods carriers and passenger carriers, and performing accounting, auditing, and financial analysis to help the Commission with its decision making process;
- Serves as the CPUC's Safety Ombudsman and oversees that CPUC's Safety Flag system, a process by which CPUC staff can effectively flag safety concerns and propose ideas for continuous improvement of the safety program, is implemented and that flagged items are reviewed and addressed by the Commission;
- Works with Commissioners to identify enforcement trends that need to be addressed by the Commission and assure effective implementation of the PUC's decisions and policies;
- Oversees and ensures the development and enhancement of transportation licensing processing and enforcement;
- Collaborates with the other state and federal agencies, the Legislature, the Governor's Office, and all external stakeholders to anticipate enforcement needs and direct development of appropriate strategies to meet those needs; and
- Works closely with the Executive Director and senior management team to develop policies affecting safety, enforcement and consumer protection activities, and consults with Commissioners, management and staff on safety and enforcement matters.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: This CEA will spearhead the Commission's efforts in safety and consumer protection as they are the highest priorities of the Commission and its principal reason for existence. With directives and laws established by the Commissioners and state legislation, this Director will provide much needed oversight on division involvement in public safety and protection projects, portfolios, and regulations through establishing complex and comprehensive policies that will govern all of the Commission's regulated utilities thus impacted the utility communities. These priorities and functions directly impact public safety and protection from reasonable and fair utility service, thus this Director will possess a critical high level of importance in the organization. This Director in coordination with the Executive Office and other Commission divisions, creates, maintains, and has broad authority to influence the coordination, integration, and oversight for the various programs and offices in CPED and SED.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The Director of Safety and Consumer Protection is the principle lead on all Commission issues regarding consumer protection and public safety and is second only to the Executive Director in his/her decision making authority on issues impacting safety and consumer protection. The Director is responsible for using information, recommendations, and guidance from the Divisions, Commissioners, and other stakeholders, to formulate policy within the scope of the CPED and SED divisions. The scope of the decision making authority is broad, sensitive, and impacts numerous stakeholders. The Director will work closely with and coordinate the Executive Management and program management to ensure consumer protection and public safety is addressed and accounted for.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The CPUC is responsible for the safety and consumer protection of all of California's large investor owned utility ratepayers. However, this safety role is expanding into emerging areas as technology and innovation rapidly change California's transportation market. For example, one policy area that this CEA position will be the principle policy maker over is the Commission rulemakings on transportation network companies (TNCs)(e.g., Uber/Lyft). The Commission's jurisdiction over TNCs is expanding and evolving and as such, the Commission has multiple open proceedings and rulemakings by which it will make regulations over these companies to ensure that their drivers are compliant with the Commission's safety regulations which include but are not limited to: background checks of Uber and Lyft drivers, data of customers who requested access to TNC vehicles, data on whether any of their drivers have committed an violations and/or been suspended, and/or provide guidelines by which their drivers will complete training to operate safely prior to offering service. Second, this CEA position will be the principle policy maker over the Commission's new cyber security, information security, and privacy security units of utility infrastructure, utility data, and customer data rulemakings where State regulations will be promulgated. Third, this CEA position will also be the principle policy maker for all CPUC consumer affairs issues relating to customer access to different utility rate structures to ensure that low-income and disadvantage customers have access to income based rates.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Director of Safety and Consumer Protection is the principle lead on all Commission issues regarding consumer protection and public safety and is second only to the Executive Director in his/her decision making authority on issues impacting safety and consumer protection. The Director is responsible for using information, recommendations, and guidance from the Divisions, Commissioners, and other stakeholders, to formulate policy within the scope of the CPED and SED divisions. The scope of the decision making authority is broad, sensitive, and impacts numerous stakeholders. The Director will work closely with and coordinate the Executive Management and program management to ensure consumer protection and public safety is addressed and accounted for.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

Under general direction of the Executive Director and 5 Commissioners, this Director will develop new, and broadly and with much authority interpret and implement existing, policies that dictate and significantly impact public safety, consumer protection, utility infrastructure safety and regulation, and utility cyber security.