

Draft Text of Emergency Regulation re: Energy Safety Written Hearing Process

Division 17. Office of Energy Infrastructure Safety

Chapter 1: Rules of Practice and Procedure

Article 1. Proceedings

§ 29104. Written Appeal Process.

(a) Within 30 days of electronic service of a notice of defect or violation, a regulated entity may request a hearing to take public comment or present additional information. The hearing must be requested by submitting a written request to the appropriate docket on the Office's e-Filing System.

(b) After a hearing request is submitted, the Office will provide, within the appropriate docket on the Office's e-Filing System, specific instructions for the regulated entity, the public, and stakeholders to submit public comment and present additional information in writing to the designated hearing examiner. The hearing examiner will only consider information provided in writing and submitted through the Office's e-Filing System.

(c) After the close of the public comment period, the hearing examiner will issue a proposed determination within the appropriate docket on the Office's e-Filing System.

(d) Within 15 days of service of the proposed determination, the public, stakeholders, and the regulated entity may provide comment on the proposed determination by submitting such comments within the appropriate docket on the Office's e-Filing System.

(e) After the close of the public comment period on the proposed determination, the Director may adopt, with or without revision, the proposed determination of the hearing examiner. The Director may also reject the proposed determination of the hearing examiner. The Director's determination shall be issued within the appropriate docket on the Office's e-Filing System.

Note: Authority cited: Sections 15473, 15475, and 15475.4, Government Code. Reference: Section 15475.4, Government Code.