



State of California
California Energy Commission
DUTY STATEMENT
CEC-004 (Revised 4/2024)

Classification(s): Attorney III

Working Title: Investigative Counsel

Position Number: 535-154-5795-001

Division/Branch or Office: Division of Petroleum Market Oversight

Collective Bargaining Identifier (CBID): R02

Work Week Group (WWG): SE

Date Approved: May 11, 2026

Conflict of Interest (COI): Yes No

If yes, this position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete Form 700 within 30 days of appointment, which identifies pertinent personal financial information.

Job Description

Under general direction of the Assistant Division Chief, the Investigative Counsel (Attorney III) will be responsible for investigating matters on behalf of and advising the Division of Petroleum Market Oversight (DPMO), which operates as an independent division of the California Energy Commission.

The Attorney III, at the advanced journey level, will serve as an experienced attorney performing complex and sensitive legal work with broad discretion and minimal supervision. In addition to the work performed at the Attorney level, the Attorney III may independently conduct complex and difficult hearings and trials. This level is distinguished from the Attorney classification by the difficulty of assignments, level of independence, and expertise required.

An Attorney III does not supervise lower-level attorney staff, but may act in a lead capacity over the work of other attorneys and staff.

Essential Duties

- 35% Independently investigates potential market anomalies and distortions, including analyzing evidence, drafting subpoenas, interfacing with respondents' counsel, taking investigative testimony, and obtaining evidence through multiple formal and informal investigative tools.
- 20% Independently analyzes legal issues and advises DPMO on the more complex and sensitive antitrust and competition-related matters that impact the transportation fuels markets, including reviewing draft reports, orders, and decisions, attending meetings, and advising

DPMO on compliance with applicable law.

- 20% Advises DPMO on the implementation of Senate Bill X1-2 (Stats. 2023, 1st Ex. Sess. 2023), which added chapter 4.6, Article 3, to Division 15, of the Public Resources Code, including research and drafting proposed regulations and preparing materials related to Commission proceedings.
- 10% Independently provides legal advice on a variety of related matters, including laws concerning confidential information, conflicts of interest, and transportation decarbonization policy issues.
- 10% Coordinates and facilitates communications with other state and federal agencies working on similar issues.

Marginal Duties

- 5% Performs other duties as required, consistent with the specifications of the classification.

Knowledge, Skills, and Abilities

There are distinct increases in the complexity of knowledge and abilities, and the scope of work and effect on programs and services provided and performed as incumbents proceed through this classification series. Incumbents are expected to use the increasing knowledge, abilities, and experiences to perform increasingly difficult and complex legal duties effectively.

Knowledge of: Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; federal and state statutes and rules; rules of professional conduct; principles of administrative trial and hearing procedure and rules of evidence; court procedures; legal terms and forms in common use; statutory and case law literature and authorities; professional and ethical rules as they relate to the practice of law; appellate proceedings; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; and provisions of laws and Government Code sections administered or enforced.

Ability to: Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence and memoranda involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; independently present difficult and complex cases before Administrative Law Judges; prepare, present, and handle legal cases; direct the work of clerical and professional assistants; edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness; analyze situations accurately and adopt an effective course of action; reason logically; exercise good judgment; effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same; independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts; independently present difficult and complex cases before administrative bodies.

Working Conditions

The Division of Petroleum Market Oversight and the California Energy Commission offer a hybrid workplace model that is designed to support a distributed workforce of both office-based and remote-centric workers that relies on a high level of telework. Occasional travel may be required



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based on the needs of the office. Regular and consistent attendance - whether office-based or remote-centric - is essential to the successful performance in this position. This position is remote centered which means the incumbent works 50 percent or more of their time monthly from an alternate work location (i.e., teleworking). The employee shall adhere to the rotational office work schedule and required office work as set forth in the employee's Telework Agreement and the applicable Telework Implementation Plan. Employees shall work during core business hours unless an alternative schedule is approved by the employee's supervisor.

Diversity and Inclusion Statement

As a State agency serving all Californians, the Division of Petroleum Market Oversight and California Energy Commission are committed to being an organization that embodies diversity, equity, and inclusion. The Energy Commission plays an active and meaningful role in creating an environment that enables each employee to thrive.

Employee's Acknowledgement: I certify that I am able to perform, with or without the assistance of a reasonable accommodation, the essential duties of this position.

Employee's Name (Print): _____

Employee's Signature: _____ **Date:** _____

Supervisor's Acknowledgment: I certify this duty statement represents a current and accurate description of the essential functions of this position. I have discussed the duties of this position with and provided the above-named employee a copy of this duty statement.

Supervisor's Name (Print): _____

Supervisor's Signature: _____ **Date:** _____



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Classification(s): Attorney I

Working Title: Investigative Counsel

Position Number: 535-154-5778-XXX

Division/Branch or Office: Division of Petroleum Market Oversight

Collective Bargaining Identifier (CBID): R02

Work Week Group (WWG): SE

Date Approved: May 11, 2026

Conflict of Interest (COI): Yes No

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Job Description

Under the supervision of the Assistant Division Chief, the Investigative Counsel (Attorney) will be responsible for investigating matters on behalf of and advising the Division of Petroleum Market Oversight (DPMO), which operates with authority independent of the California Energy Commission's authority.

This is the entry level for persons qualified to practice law in the State of California. Attorneys assigned to Range A perform the least difficult legal work for their department. Attorneys assigned to Range B independently perform professional legal work of average difficulty.

Essential Duties

- 35% Investigates potential market anomalies and distortions, including analyzing evidence, drafting subpoenas, interfacing with respondents' counsel, taking investigative testimony, and obtaining evidence through multiple formal and informal investigative tools.
- 20% Advises DPMO on antitrust and competition-related matters that impact the transportation fuels markets, including reviewing draft reports, orders, and decisions, attending meetings, and advising DPMO on compliance with applicable law.
- 20% Advises DPMO on the implementation of Senate Bill X1-2 (Stats. 2023, 1st Ex. Sess. 2023), which added chapter 4.6, Article 3, to Division 15, of the Public Resources Code, including research and drafting proposed regulations and preparing materials related to Commission proceedings.
- 10% Assist in providing legal advice on a variety of related matters, including laws concerning confidential information, conflicts of interest, and transportation decarbonization policy issues.

10% Coordinates and facilitates communications with other state and federal agencies working on similar issues.

Marginal Duties

5% Performs other duties as required, consistent with the specifications of the classification.

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