



New York State
Department of Economic Development
Division of Minority and Women's
Business Development

In the matter of the appeal of

Powercom Electrical Services, Inc.

FINAL ORDER 17-62

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

This order arises from an administrative appeal brought on behalf of Powercom Electrical Services, Inc. ("Powercom") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated November 21, 2016, to deny Powercom certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Maria E. Villa. Ms. Rosa Kern submitted a written appeal on behalf of Appellant on March 1, 2017. Ms. Shirley S. Paul, Esq. submitted a response to the appeal on September 19, 2017. The submissions of the parties are contained in the appeal record.

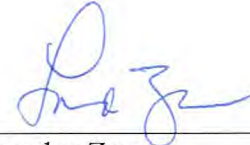
The issues on appeal were whether the woman owner of Powercom: made decisions pertaining to the operations of the business enterprise; and possessed adequate managerial experience or technical competence to operate the business enterprise.

On October 23, 2017, the Division received from Administrative Law Judge Villa a Recommended Order that recommended affirmation of the Division's denial of the application to certify Powercom as a WBE on the grounds set forth in the Division's November 21, 2016 letter.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with respect to the findings and conclusions of the Recommended Order.

It is hereby **ORDERED** that the decision to deny certification, dated November 21, 2016, is affirmed. Accordingly, Powercom will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

October 23, 2017



Lourdes Zapata
Executive Director
Division of Minority and Women's
Business Development