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**FILED**  
11/13/19  
11:26 AM

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking  
Regarding Emergency Disaster  
Relief Program.

Rulemaking 18-03-011

**ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S  
RULING SETTING PREHEARING CONFERENCE**

**Summary**

This Assigned Commissioner and Administrative Law Judge's Ruling provides notice of a prehearing conference (PHC) of Rulemaking (R.) 18-03-011 for Wednesday, November 20, 2019 commencing at 10:00 a.m. and concluding at 12:00 p.m., in the Commission's Auditorium at 505 Van Ness Avenue, San Francisco, California, 94102, to address the status, scope, schedule, and service list for Phase II of this proceeding in response to the October 2019, statewide wildfires.

**1. Background**

The California Public Utilities Commission (Commission) established R.18-03-011 to adopt an emergency disaster relief program for entities under this Commission's jurisdiction. In preparation for this year's fire season, in July 2019, the Commission issued Decision (D.) 19-07-015, curating a statewide program for customer disaster relief applicable to the customers of the electrical, natural gas, water, and sewer corporations subject to this Commission's jurisdiction. Then, in August 2019, the Commission issued D.19-08-025, also curating a statewide program for customer disaster relief applicable to the customers of

communications service providers, also subject to this Commission's jurisdiction.<sup>1</sup>

## **2. October 2019 Wildfires and D.19-08-025**

Once again, the State of California is facing unprecedented wildfires. These events illuminate the need for continuity of essential services in times of crises. In the face of increasing threats and the loss of lives from wildfires, earthquakes, and other natural disasters, customers increasingly rely on their communications services to receive emergency alerts, to contact and coordinate with family and emergency responders, to make 9-1-1 calls when in urgent need of help, and access to information on emergency shelters. That is why, in D.19-08-025 for Phase I of this proceeding, the Commission determined the criticality of sustaining and restoring essential communications functions, and delivery of critical services in disastrous conditions.<sup>2</sup>

In making this determination in Phase I, the Commission adopted an array of customer protections. These customer protections are applicable for customers of: (1) facilities based and non-facilities-based landline providers (*e.g.*, 9-1-1/E9-1-1 providers, LifeLine providers, Voice-over-Internet or VoIP, Carriers of Last Resort or COLRs, and other landline providers that do not fall into the aforementioned groups); (2) wireless providers that provide access to E9-1-1 and/or LifeLine services; and (3) facilities-based wireless providers and non-facilities-based wireless providers (including resellers and mobile virtual

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<sup>1</sup> D.19-08-025 at 9-15.

<sup>2</sup> *Id.* at 18.

network operators).<sup>3</sup> The Commission also required public awareness of the customer protections<sup>4</sup> as well as administrative compliance.<sup>5</sup>

The Commission found in D.19-08-025 that Phase II of this rulemaking will focus on having a resilient and dependable communications network that aids first responders and communicates with the public in a timely manner.<sup>6</sup> As part of this focus, the Commission stated that Phase II will focus on enhancing communications from this public safety component as well as consider fines and citations with non-compliance for our orders.<sup>7</sup>

### **3. Topics**

Consistent with D.19-08-025, this Phase II PHC intends to ensure the Commission has as much information as necessary to mitigate risk to public health and safety events to scope Phase II of this proceeding.

At this PHC, the below-named communications service providers shall be prepared to respond to questions that concern the following topics:

1. Responsiveness during the latest wildfires and public safety power shut offs to keep telecommunications services on;
2. Compliance with D.19-08-025; and
3. Engagement and timely responsiveness to requests from the California Governor's Office of Emergency Services and the California Department of Forestry and Fire Protection.

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<sup>3</sup> *Id.* at 31-35.

<sup>4</sup> *Id.* 39.

<sup>5</sup> *Id.* at 45.

<sup>6</sup> *Id.* at 47.

<sup>7</sup> *Id.*

Following, this PHC, an Assigned Commissioner's Scoping Memo and Ruling shall be issued, setting forth the issues to be addressed for Phase II and the schedule of the remainder of this proceeding pursuant to Public Utilities Code section 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure.

#### **4. Schedule and Appearances at the Phase II Prehearing Conference**

This ruling directs top officials from the communications service providers, listed below, to publicly appear and publicly address their response during the latest wildfire events, public safety power shutoffs, and efficacy in compliance with D.19-08-025:

- Verizon Wireless, Cellco Partnership
- Sprint Communications and Sprint Spectrum
- T-Mobile USA
- AT&T Mobility
- AT&T California/Pacific Bell and AT&T Corporation
- Frontier Communications
- Time Warner/Charter Fiberlink/BrightHouse Networks
- Comcast Phone of California
- Cox California Telecom

This ruling also requests the top officials from Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company to attend. Finally, this ruling requests officials from the Public Advocates Office and The Utility Reform Network, Center for Accessible Technology, and National Consumer Law Center to appear as well. Any other party to this proceeding who wishes to formally appear may appear.

The PHC shall be held on:

**Wednesday, November 20, 2019**  
**10:00 a.m. to 12:00 p.m.**  
**Auditorium**  
**California Public Utilities Commission**  
**505 Van Ness Avenue**  
**San Francisco, California 94102**

**IT IS RULED** that:

1. Prehearing conference in this proceeding shall take place on Wednesday, November 20, 2019 in the Commission's Auditorium at 505 Van Ness Avenue, San Francisco, California, from 10:00 a.m. to 12:00 p.m.
2. A quorum of Commissioners may be in attendance, but no action shall be taken.

Dated November 13, 2019, at San Francisco, California.

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/s/ MARYBEL BATJER  
Marybel Batjer  
Assigned Commissioner

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/s/ COLIN RIZZO  
Colin Rizzo  
Administrative Law Judge