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01/06/20  
04:59 PM

# EXHIBIT 2

**AT&T**

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March 15, 2018

U.S. Mail and Email ([Alex.Pal@att.com](mailto:Alex.Pal@att.com))

Alex Pal  
Acting Chief Counsel, Legal Affairs  
CalOES  
3650 Schriever Avenue  
Mather, California 95655

Re: CalOES Next Generation 9-1-1 California Tariff Requirement

Mr. Pal,

Thank you for your request for feedback regarding the tariffing of Next Gen 9-1-1 services. It is AT&T's position that the law prohibits the State's tariffing of NG-9-1-1 services. Attached you will find an outline of AT&T's position in this regard.

Please be advised that this is something AT&T feels very strongly about. Accordingly, we look forward to the opportunity to discuss with you in person this very important issue.

Thank you.

Brad Walter

cc: Jonathan Holland, Application Sales Manager  
Steve Strickland, Assistant Vice President — Senior Legal

## ATTACHMENT

### The Commission May Not Regulate or Require the Tariffing of 1P-Based 911 Services

- Two technologies can be used to provide 911 service: TDM or IP-based
- TOM-based 911 services are not IP-based and are regulated and tariffed by the Commission.

- By federal statute NG 911 is an IP-based service:

#### 47 USC 942(e)(5)

(5) Next Generation 9-1-1 services. The term "Next Generation 9-1-1 services" means an IP-based system comprised of hardware, software, data, and operational policies and procedures that-

- (A) provides standardized interfaces from emergency call and message services to support emergency communications;
- (B) processes all types of emergency calls, including voice, data, and multimedia information;
- (C) acquires and integrates additional emergency call data useful to call routing and handling;
- (D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;
- (E) supports data or video communications needs for coordinated incident response and management; and
- (F) provides broadband service to public safety answering points or other first responder entities.

- Telecommunications services (TOM-based 911) and information services (such as NG 911) are "mutually exclusive"

Report to Congress, *Federal-State Joint Board on Universal Service*, 13 FCC Red 11501, 11523 para. 43 (1998) ("*Report to Congress*") ("[T]elecommunications services and information services are mutually exclusive categories."); *Deployment of Wireline Services (\*.ring Advanced Telecommunications Capability*, 13 FCC Red 24011, 24029 para. 34 n. 50 (1998) ("Under the 1996 Act, any service with a communications component must be either a 'telecommunications service' or an 'information service' (but not both).").

- Section 710 prohibits regulating IP-based services:

710.

(a) The commission shall not exercise regulatory jurisdiction or control over Voice over Internet Protocol and Internet Protocol enabled services except as required or expressly delegated by federal law or expressly directed to do so by statute or as set forth in subdivision (c). In the event of a requirement or a delegation referred to above, this section does not expand the commission's jurisdiction beyond the scope of that requirement or delegation.

(b) No department, agency, commission, or political subdivision of the state shall enact, adopt, or enforce any law, rule, regulation, ordinance, standard, order, or other provision having the force or effect of law, that regulates VoIP or other IP enabled service, unless required or expressly delegated by federal law or expressly authorized by statute or pursuant to subdivision (c). In the event of a requirement or a delegation referred to above, this section does not expand the commission's jurisdiction beyond the scope of that requirement or delegation.

(c) This section does not affect or supersede any of the following:

(1) The Emergency Telephone Users Surcharge Law (Part 20 (commencing with Section 41001) of Division 2 of the Revenue and Taxation Code) and the state's universal service programs (Section 285).

(2) The Digital Infrastructure and Video Competition Act of 2006 (Division 2.5 (commencing with Section 5800)) or a franchise granted by a local franchising entity, as those terms are defined in Section 5830.

(3) The commission's authority to implement and enforce Sections 251 and 252 of the federal Communications Act of 1934, as amended (47 U.S.C. Secs. 251 and 252).

(4) The commission's authority to require data and other information pursuant to Section 716.

(5) The commission's authority to address or affect the resolution of disputes regarding intercarrier compensation, including for the exchange of traffic that originated, terminated, or was translated at any point into Internet Protocol format.

(6) The commission's authority to enforce existing requirements regarding backup power systems established

in Decision 10-01-026, adopted pursuant to Section 2892.1.

- (7) The commission's authority relative to access to support structures, including pole attachments, or to the construction and maintenance of facilities pursuant to commission General Order 95 and General Order 128.
- (8) The Warren-911-Emergency Assistance Act (Article 6 (commencing with Section 53100) of Chapter 1.5 of Part 1 of Division 2 of Title 5 of the Government Code).
  - (d) This section does not affect the enforcement of any state or federal criminal or civil law or any local ordinances of general applicability, including, but not limited to, consumer protection and unfair or deceptive trade practice laws or ordinances, that apply to the conduct of business, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), local utility user taxes, and state and local authority governing the use and management of the public rights-of-way.
  - (e) This section does not affect any existing regulation of, proceedings governing, or existing commission authority over, non-VoIP and other non-IP enabled wireline or wireless service, including regulations governing universal service and the offering of basic service and lifeline service, and any obligations to offer basic service.
  - (1) This section does not limit the commission's ability to continue to monitor and discuss VoIP services, to track and report to the Federal Communications Commission and the Legislature, within its annual report to the Legislature, the number and type of complaints received by the commission from customers, and to respond informally to customer complaints, including providing VoIP customers who contact the commission information regarding available options under state and federal law for addressing complaints.
  - (g) This section does not affect the establishment or enforcement of standards, requirements, or procedures, including procurement policies,

applicable to any department, agency, commission, or political subdivision of the state, or to the employees, agents, or contractors of a department, agency, commission, or political subdivision of the state, relating to the protection of intellectual property.

(h) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

(Added by Stats. 2012, Ch. 733, Sec. 3. (SB 1161) Effective January 1, 2013. Repealed as of January 1, 2020, by its own provisions.)

- Every Commission authority quoted in the Staff-created website providing "Guidance" for NG 911 deals only with TOM-based 911 service:

**Guidance for Communications Service Providers who are now providing or plan to offer Next Generation 9-1-1 Services in California**

Link:

[http://www.cpuc.ca.gov/uploadedFiles/CPUC Public Website/Content/Utilities and Industries/Communications - Telecommunications and Broadband/Service Provider Information/911%20Tariff%20Filing%20Text%20for%20CD.pdf](http://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/Service_Provider_Information/911%20Tariff%20Filing%20Text%20for%20CD.pdf)

**D0709018 Opinion Consolidating Proceedings, Clarifying Rules for Advice Letters Under the Uniform Regulatory Framework, and Adopting Procedures for Detariffing**

Link:

[http://docs.couc.ca.gov/PublishedDocs/WORD\\_PDF/FINAL\\_DECISION/72650.PDF](http://docs.couc.ca.gov/PublishedDocs/WORD_PDF/FINAL_DECISION/72650.PDF)

**D1307019 Extend Critical Emergency Access Protections—Multi-Line Telephone System Users in California**

Link:

<http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M072/K133/72133561.PDF>

- The information on the Staff-created website providing "Guidance" for NG 911 was not written or adopted by the Commission. The Commission acts through its decisions or orders, not through staff actions:

D.14-01-037 (at 21) "More importantly, staff advice is not binding on the Commission. Assuming for the purposes of this decision that there was no miscommunication between Mr. Mirza and Mr. Salzman, Mr. Mirza did not have authority to set or change the law."

**D.15-05-032** (at 22-23) reiterates that language as to the subordinate role of Staff — and includes actual authorities supporting the assertion:

"More importantly, staff advice is not binding on the Commission. Assuming that there was a communication between Mr. Mirza and Mr. Salzman as TracFone alleges, Mr. Mirza did not have authority to set or change the law. The Commission acts by formal decision or order only. (0.12-10-018 at 20, citing *Holder v. Key System* (1948) 88 Cal.App.2d 925, 933; 1110-12-016 at pp. 82 and 96-97, as modified by 0.11-04-035 at p. 6, fn 13 (affirming finding that Commission acts by formal order or decision only); and *Greyhound Lines Inc. v. Public Utilities Com.* (1968) 68 Ca1.2d 406, 412.)

- The Commission is barred from requiring NG 911 to be tariffed or in any way regulated and the Staff-created website directions for NG 911 have no legal effect.

# **EXHIBIT 3**





Isobrielle Salgado  
VICE President - Associate General Counsel

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August 21, 2018

Ms. Arocles Aguilar  
General Counsel  
California Public Utilities Commission  
505 Van Ness Avenue, Fifth Floor  
San Francisco, CA 94102  
[arocles.aguilar@cpuc.ca.gov](mailto:arocles.aguilar@cpuc.ca.gov)

Re: NG911 IP Services — CPUC Guidance to Tariff

Dear Arocies:

I am writing to you regarding the attached document, a page appearing on the Commission's website. Specifically, AT&T is very concerned with the assertion it contains that "next generation 911 delivery to PSAPs must be tarified in California." CALOES has also informed AT&T it has been advised by Commission staff that Next Generation 911 ("NG911") network services have to be tarified. CALOES therefore has informed AT&T that a condition of providing NG911 network services to the State of California is that they be tarified.

By federal law,<sup>1</sup> NG911 is an IP-based service. By state law,<sup>2</sup> the Commission is prohibited from exercising any "regulatory jurisdiction or control over. Internet Protocol enabled services except as required or expressly delegated by federal law or expressly directed to do so by statute or as set forth in subsection (c)."<sup>3</sup> No federal or state law gives the Commission specific authority over NG911 network services. Nothing in subsection (c) of Public Utilities Code §710 gives the Commission authority over NG911. Accordingly, we have found no basis for the Commission staff to assert NG911 network services provided to PSAPs and to CALOES are required to be tarified.

We are pressed to bring this to your attention to seek clarification of this issue. AT&T, along with other potential providers, will be bidding imminently to provide N6911 network services to the state of California. These services are built on an IP-based platform and will provide significant and vital service advancements in public safety to the 911 PSAP community. The 911 services provided to PSAPs and to the state of California need to be the best they can be, and the state of California has an interest in seeking the best service at the best price. Commission staff's guidance requiring tariffs of these IP-based network services will stymie the industry's efforts to provide these innovative new

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<sup>1</sup> 47 U.S.C. § 942(e)(5).

<sup>2</sup> Public Utilities Code §710.

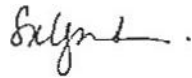
<sup>3</sup> Public Utilities Code §710(a).

**AT&T**

services and create complications and likely delays to state contracting efforts, all in direct contravention of §710 and the dear wishes of the Legislature and the Governor.

We understand CALOES will within the next 10 days be issuing an RFP for NG911 services, and at this point it intends to include a tariffing requirement based on the above-referenced communications from Commission staff. Consequently, it is essential that all parties concerned receive clarity and feedback from the Commission. I am happy to discuss this further at your earliest convenience given the matter's significance and critical timing. I would greatly appreciate your response by Friday, August 24th.

Sincerely,



cc:  
President Michael Picker michael.picker@cpuc.ca.gov  
Commissioner Carla J. Peterman caria.peterman@cpuc.ca.gov  
Commissioner Liane M. Randolph liane.randolph@cpuc.ca.gov  
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7D29S7

**AT&T**

## Guidance for Communications Service Providers who are now providing or plan to offer Next Generation 9-1-1 Services in California.

### **911 Service Providers Must be CPCN Holders**

Service providers/carriers who provide 9-1-1 network services, regardless of whether or not those services are IP-based, must be CPCN holders. Providing access to emergency services to end users is a required component of basic service for landline providers. Wireless carriers and VoIP providers are also required to provide their end users with the ability to access and complete 9-1-1 calls.

- Additional information regarding CPCN authority can be found here: <http://www.cpuc.ca.gov/General.aspx?id=1019>
- **D. 12-12-038 - The current** definition of basic service requires that customers be provided free and unlimited access to emergency 911/E911 services. Having access to emergency services is essential for all consumers. Accordingly, the existing standards for basic service standards and requirements for access to 911/E911 services shall continue to apply.
- **D.06-03-013** - in revising General Order (G.O.) 168, the Commission extended the 9-1-1 requirements to wireless carriers, as well as unequivocally recommitted to public safety and recognized the importance of our 9-1-1 system to public safety.

### **CPCN Holders Must Tariff 911 Services**

9-1-1 network services and next generation 911 delivery to PSAPs must be tarified in California. For filing tariffs, carriers should use Telecommunications Industry Rule 8.3 for new services or Telecommunications Industry Rule 8.4 for changes to tarified rates, charges, terms, or conditions. These 9-1-1 network services filings are appropriate for a Tier 1 Advice Letter.

- **0.07-09-018 - The Commission** specifically excluded 9-1-1 services from de-tariffing. Additionally, the 9-1-1 system should not be de-tariffed because it provides an important public service that must be available to all phone customers.
- **D. 13-07-019** The Commission reaffirmed its policy that 9-1-1 and other emergency services should remain tarified. Further, the Commission stated that related rates and charges should remain cost-based, as previously stated in Resolution T-14043,
- **G.O. 96B, General Rule 5.** - The primary use of the advice letter process is to review a utility's request to either change its tariffs in a manner previously authorized by statute or Commission order, to conform their tariffs to the requirements of a current statute or Commission order, or to get Commission authorization to deviate from its tariffs.

**CPCN Authority Must Include Service Type and Area.** Carriers who provide network services require inter-carrier exchange service authority, while those carriers who provide network services to PSAPs require local exchange authority. Carriers who wish to file tariffs in these two areas may need to file an application for modification of their authority.

**9-1-1 Network Service Tariffs Must Include Pricing Information**

Carriers who currently provide 9-1-1 network services and have published tariffs without pricing information are instructed to file Tier I advice letters with the updated information on their service offerings, which include pricing. 9-14 tariffs should be cost-based.

# **EXHIBIT 4**

From: "Aguilar, Arocles" <[Arocles.Aguilar@couc.ca.eov](mailto:Arocles.Aguilar@couc.ca.eov)>  
Date: August 29, 2018 at 1:45:23 PM PDT  
To: "SALGADO, ISABELLE (Legal)" <[is1615@att.com](mailto:is1615@att.com)>, "DISCH ER, DAVID (Legal)" <[dd2526@att.com](mailto:dd2526@att.com)>, "JOHNSON, RHONDA J" <[ri1852@att.com](mailto:ri1852@att.com)>  
Cc: "Mickiewicz, Helen M." <[helen.mickiewicz@cpuc.ca.gov](mailto:helen.mickiewicz@cpuc.ca.gov)>, "Walker, Cynthia" <[cynthia.walker@couc.ca.eov](mailto:cynthia.walker@couc.ca.eov)>, "mark.ghilarducci@caloes.ca.gov" <[mark.ghilarducci@caloes.ca.gov](mailto:mark.ghilarducci@caloes.ca.gov)>, "Imitchell.medievovich@caloes.ca.gov" <[mitchell.medigovich@caloes.ca.gov](mailto:mitchell.medigovich@caloes.ca.gov)>, "[wAlex.Pal@caloes.ca.gov](mailto:Alex.Pal@caloes.ca.gov)" <[Alex.Pal@caloes.ca.gov](mailto:Alex.Pal@caloes.ca.gov)>  
Subject: RE: AT&T letter to Armies Aguilar-NG911 IP Services CPUC Guidance

Hi Isabelle

Thank you for your email and for explaining AT&T's position. I appreciate the points you have made, but the CPUC views these issues differently. The CPUC's tariffing of 911 services is technology neutral and we have never authorized service providers to differentiate 911 service, regardless of the technology used to provide that service. (See GO 96B, Industry Rule 5 "An URF Carrier may cancel by advice letter any retail tariff currently in effect except for the following: Basic Service; 911 or e-911 service"... ) We are aware that 911 service is offered using a variety of technology platforms and network designs, but in the end, what customers use is 911 service and that is what we are concerned about here. In light of the current wildfires burning across the state, as well as the inevitability of future disasters, it is imperative that Californians have reliable access to 911 service. That is the underpinning of the CPUC's determination not to de-tariff the service.

In your e-mail below, you suggest that requiring the tariffing of 911 service, which has been the case for literally decades, is tantamount to tariffing VoIP service. This requirement is not about VoIP service, nor Section 710. CalOES' procurement is a competitive procurement, and AT&T as well as any other qualified bidder may bid into that procurement, and as such, any such bidder is subject to the terms of the procurement offering. By analogy, it is my understanding that other VOIP providers apply to the Commission for CPCNs, subjecting themselves to the terms and conditions of those CPCNs, because they believe that having that certificate provides some value to them. So, too, for bidders into CalOES' procurement. As to the ongoing requirement that 911 service be tariffed, we disagree that the tariffing requirement violates section 710 because our statutes are technology neutral, and this is about 911 service.

Thanks for your interest in having dialogue about these issues. We believe that CalOES is operating appropriately and consistent with state law in requiring the tarrifing of 911 service. That said, AT&T will have to decide whether it wishes to bid under the terms of CalOES' requirements.

Best Regards,

ArocCes

Ms. Arocles Aguilar  
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**From:** SALGADO, ISABELLE (Legal) <[is1615@att.com](mailto:is1615@att.com)>  
**Sent:** Friday, August 24, 2018 3:21 PM

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**Subject:** RE: AT&T letter to Arocles Aguilar-NG911 **IP Services – CPUC Guidance**

Hello Arocles,

Thank you for your note. It occurs to me that we may have a disconnect, and I am hoping it might be easily resolved. To be clear, AT&T continues to file and maintain tariffs on its traditional TDM-based 911 services, as it always has done. There is no dispute on that point.

Yet we are now seeing the introduction of Internet-Protocol based, Next Generation 911, or "NG911", emergency services, which bear little technical relation to the traditional, tariffed TDM-based 911 services. Our question regarding the interpretation put forth by the Commission's staff is brought on by comments made to us by the state procurement officials preparing a Cal Office of Emergency Services (CalOES) RFP. In certain discussions with those officials, we have been advised that Commission staff determined the NG911 services will have to be tariffed, and in turn, the state procurement officials indicate that tariffing will therefore be a prerequisite to responding to the RFP. If true, this tariffing requirement would be contradictory to Cal. Public. Util. Code Sec. 710, which prohibits the CPUC from regulating IP based services. Simply stated, it is tantamount to requiring a tariff for VoIP services.

We would be happy to arrange a more detailed technical discussion regarding the NG911 suite of services and to explain the IP platform on which they operate in contrast to the TDM-based 911 services. A meeting could be arranged over the telephone or perhaps even in person with one of our experts and your staff next week. In addition, or in the alternative, it appears our mutual concerns could easily be addressed if Commission staff would advise the state's procurement officials that the NG911 services must be provided in compliance with applicable state law(s).

I welcome your thoughts.

Best Regards,

**Isabelle M. Salgado**  
**Vice President & Associate General Counsel**



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Subject: RE: AT&T letter to Arocles Aguilar-NG911 IP Services — CPUC Guidance

Isabelle-

Thank you for your email. Helen Mickiewicz spoke with David Discher, one of your attorneys, this afternoon regarding the CPUC's position that the CPUC has authority to regulate California's 911 service, and has been exercising oversight, including setting the surcharge and requiring tariffs, for many years. It is our understanding that AT&T is the only service provider who is objecting to the tariff requirement. Please let me know if you need anything further.

Best Regards,

ArocCes

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Subject: AT&T letter to Arocles Aguilar-NG911 IP Services — CPUC Guidance

Ms. Aguilar,

Please see attached letter from AT&T Ms. Isabelle Salgado. Let me know if you have any problem opening the attached Adobe PDF file.

Regards,

Hugh Osborne  
415-268-5997  
AT&T SERVICES INC

# **EXHIBIT 5**

PUBLIC UTILITIES COMMISSION

ECG VATTI FESS AVESIVE  
9A14 FRANCISOO, CA 04102,1296



Original: April 15, 2019

Updated: April 26, 2019

Mark Berry  
AT&T Regulatory  
AT&T California  
430 Bush Street, 5th Floor  
San Francisco, CA 94108

Subject: Filing of updated Tariffs for 9-1-1 Service

Dear Mr. Berry,

The State of California Office of Emergency Services is updating the 9-1-1 service infrastructure in California with Next Generation 9-1-1 technology. This will require updating your existing 9-1-1 tariff.

As a carrier of last resort, your company is required to file tariffs for 9-1-1 services available within your territory. If you will be providing services outside of your territory, you may update the tariffs of your CLEC affiliate for those areas in which you have authorization. The CPUC requires all 13RFILECs to update their tariffs in accordance with Industry Rules 8.3 for New Service and 8.4 for Changes to Miffed Rate, Charge, Term or Condition.

The 9-1-1 Service elements to be delivered include Next Generation (NG) Trunks and bandwidth for transport of 9-1-1 traffic from the Central Office to the point of ingress (POIs) of the Emergency Services II' Network (ES1net), from POI to Regional NG Core and Regional Core to PSAP, and IP trunks from the Selective Router to the PSAP.

Please update your tariffs to include Nonrecurring and Monthly recurring charges for the following (where applicable):

- 1\_ NG 9-1-1 Trunk Service
  - a. NO 9-1-1 End Office Trunk (Central Office to POI)
  - b. NG 9-1-1 Core Services Trunk (POI to Regional Core)
  - c. NO 9-1-1 PSAP Trunk (Regional Core to PSAP)
  - d. NO 9-1-1 Monthly Circuit Cost (by bandwidth)
    - I. NO 9-14 Monthly Circuit Cost (1 Mbps)
    - ii. NO 9-14 Monthly Circuit Cost (10 Mbps)
    - iii. NO 9-1-1 Monthly Circuit Cost (100 Mbps)
    - iv. NO 9-1-1 Monthly Circuit Cost (1000 Mbps)
2. E9-1-1 IP trunk carrying 9-1-1 traffic from Selective Router to PSAP or ESInet
  - a. NO 9-1-1 Monthly Circuit Cost (1 Mbps)
  - b. NO 9-1-1 Monthly Circuit Cost (10 Mbps)
  - c. NG 9-1 Monthly Circuit Cost (100 Mbps)

- d. NG 9-1-1 Monthly Circuit Cost (1000 Mbps)
- 3. E944 1 P trunk carrying 94-1 traffic from Point of Aggregation to PSAP or ESinet
  - a. NG 9-14 Monthly Circuit Cost (1 Mbps)
  - b. NG 9-14 Monthly Circuit Cost (10 Mbps)
  - c. NG 94-1 Monthly Circuit Cost (100 Mbps)
  - d. **NG 9-1-1 Monthly Circuit Cost (1000 Mbps)**

**We require these updated tariffs to be filed no later than June 7, 2019.**

If you have questions about Advice Letter procedures, please consult the CPUC website at:  
<http://www.cpuc.ca.gov/General.aspx?id=1012>

Sincerely,

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**Cyithila Walker**  
**Director, Communications Division**  
**California Public Utilities Commission**

cc: California 9-1-1 Emergency Communications Branch

# **EXHIBIT 6**

## PUBLIC UTILITIES COMMISSION

1105 VANNESS AVENUE  
SAN FRANCISCO, CA 04102.3219



June 17, 2019

Peter Hayes  
Vice President, AT&T Regulatory  
AT&T California  
430 Bush Street, 5th Floor  
San Francisco, CA 94108

Subject: April 15, 2019 letter to update 9-1-1 tariffs

Dear Mr. Hayes,

On April 15, 2019, I sent the enclosed letter to Mark Berry. The letter instructed AT&T California that, as a carrier of last resort, it is required to file tariffs for 9-1-1 services within its territory. Accordingly, AT&T California must update its existing 9-1-1 tariff to comply with the use of Next Generation 911 technology to provision the services.

The CPUC requires all ILECs operating under the Uniform Regulatory Framework (URF), of which AT&T is one, to update their tariffs in accordance with General Order 96-B, Industry Rules 8.3 for New Service and 8.4 for Changes to Tariffed Rate, Charge, Term or Condition. My April 15<sup>th</sup> letter included a due date of June 7, 2019 for the updated tariff filing. AT&T did not submit an updated tariff filing by June 7th,

On Wednesday, June 12<sup>th</sup>, a CD staff person contacted Mr. Berry about that required tariff filing. Mr. Berry informed CD staff that AT&T will not be filing these tariffs as instructed.

AT&T California is required to update its 9-1-1 tariffs as the April 15th letter instructed. I expect a response to this directive within five days of the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cynthia Walker', with a long horizontal flourish extending to the right.

Cynthia Walker  
Director, Communications Division  
California Public Utilities Commission

Enc: April 15 letter from CPUC to AT&T California

# **EXHIBIT 7**



## PUBLIC UTILITIES COMMISSION

SOS VAN NESS AVENUE  
SAN FRANCISCO, CA 81102.3238



September 18, 2019

Mark Berry  
AT&T Regulatory  
AT&T California  
430 Bush Street, 5th Floor  
San Francisco, CA 94108

Subject: Tariff Required for 9-1-1 Service (Pasadena RING)

Dear Mr. Berry,

It has come to my attention that you are providing 9-1-1 service as part of the Pasadena RING project (Regional Integrated Next Generation). In the State of California, all services within your network that carry 9-1-1 traffic, regardless of transport, must be tariffed. The services deployed by AT&T in the Pasadena RING project include the connections from the Selective Router to the Hosted-Remote Call Processing Equipment (CPE) and from the CPE to the remote Public Safety Answering Points (PSAPs). Regardless of transport, the CPUC requires that any connections used to carry 9-1-1 traffic need to be tariffed.

Please update your tariff in accordance with General Order 96-B, Industry Rules 8.3 for New Service and 8.4 for Changes to Tariffed Rate, Charge, Term or Condition. The tariff shall include non-recurring and monthly recurring charges for the Next Generation 9-1-1 Emergency Services IP Network (ESINet) solution that is deployed in the Los Angeles area.

Please refer to the attached letter dated April 15, 2019 which details the N09-1-1 service elements for transport of 9-1-1 traffic.

We require these updated tariffs to be filed no later than September 27, 2019.

If you have questions about Advice Letter procedures, please consult the CPUC website at: <http://www.epue.ca.gov/kieneral.aspx?id=1012>

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia Walker".

Cynthia Walker  
Director, Communications Division  
California Public Utilities Commission

**PUBLIC UTILITIES COMMISSION**

606 WAESS AVENUE  
FRANCO, CA 941024200



Original: April 15, 2019

Updated: April 26, 2019

Mark Berry  
AT&T Regulatory  
AT&T California  
430 Bush Street, 5th Floor  
San Francisco, CA 94108

Subject: Filing of updated Tariffs for 9-1-1 Service

Dear Mr. Berry,

The State of California Office of Emergency Services is updating the 9-1-1 service infrastructure in California with Next Generation 9-1-1 technology. This will require updating your existing 9-1-1 tariff.

As a matter of last resort, your company is required to file tariffs for 9-1-1 services available within your territory. If you will be providing services outside of your territory, you may update the tariffs of your CLEC affiliate for those areas in which you have authorization. The CPUC requires all URF LECs to update their tariffs in accordance with Industry Rules 8.3 for New Service and 8.4 for Changes to Taxified Rate, Charge, Term or Condition.

The 9-1-1 Service elements to be delivered include Next Generation (NG) Trunks and bandwidth for transport of 9-1-1 traffic from the Central Office to the point of ingress (POIs) of the Emergency Services IP Network (ESInet), from POI to Regional NO Core and Regional Core to PSAP, and IP trunks from the Selective Router to the PSAP.

Please update your tariffs to include Nonrecurring and Monthly recurring charges for the following (where applicable):

1. NG 9-1-1 Trunk Service
  - a. NO 9-1-1 End Office Trunk (Central Office to POI)
  - b. NO 9-1-1 Core Services Trunk (POI to Regional Core)
  - c. NG 9-1-1 PSAP Trunk (Regional Core to PS AP)
  - d. NO 9-1-1 Monthly Circuit Cost (by bandwidth)
    - i. NO 9-1-1 Monthly Circuit Cost (1 Mbps)
    - ii. NO 9-1-1 Monthly Circuit Cost (10 Mbps)
    - iii. NG 9-1-1 Monthly Circuit Cost (100 Mbps)
    - iv. NO 9-1-1 Monthly Circuit Cost (1000 Mbps)
2. E9-1-1 IP trunk carrying 9-1-1 traffic from Selective Router to PSAP or ESInet
  - a. NO 9-1-1 Monthly Circuit Cost (1 Mbps)
  - b. NO 9-1-1 Monthly Circuit Cost (10 Mbps)
  - c. NO 9-1-1 Monthly Circuit Cost (100 Mbps)

- d. NG 9-1-1 Monthly Circuit Cost (1000 Mbps)
- 3. E9-1-1 1<sup>st</sup> trunk carrying 944 traffic from Point of Aggregation to PSAP or ESInet
  - a. NG 9-1-1 Monthly Circuit Cost (1 Mbps)
  - b. NG 9-1-1 Monthly Circuit Cost (10 Mbps)
  - c. NG 9-1-1 Monthly Circuit Cost (100 Mbps)
  - d. NG 9-1-1 Monthly Circuit Cost (1000 Mbps)

We require these updated tariffs to be filed no later than June 7, 2019.

If you have questions about Advice Letter procedures, please consult the CPUC website at:  
<http://www.C1311c.ca.gov/General.aspx?id=1012>

Sincerely,

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Cynthia Walker  
Director, Communications Division  
California Public Utilities Commission

cc: California 9-1-1 Emergency Communications Branch

# **EXHIBIT 8**

## Covey, J. Tyson

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Subject: FW: Pasadena RING

From: Walker, Cynthia <[cynthia.walker@cpuc.ca.gov](mailto:cynthia.walker@cpuc.ca.gov)>  
Sent: Tuesday, October 01, 2019 11:13 AM  
To: HAYES, PETER M <[ph3693@att.com](mailto:ph3693@att.com)>  
Subject: RE: Pasadena RING

Peter,

Through your note below and our discussion yesterday, I understand that AT&T would like more time to respond to my letter of September 18. I do not believe the letter raised any new issues as AT&T and the CPUC have been disagreeing about the tariffing requirements for well over a year now. Accordingly, AT&T should not require any additional time to provide a response. Nonetheless, given that you have contacted me and explained the need to consult more internally, I will give you one final extension to Friday October 4.

*Cynthia Walker*  
Director  
Communications Division  
California Public Utilities Commission  
[cynthia.walker@cpuc.ca.gov](mailto:cynthia.walker@cpuc.ca.gov)  
415.703.1836  
415.806.0488 (cell)  
[www.cpuc.ca.gov](http://www.cpuc.ca.gov)

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From: HAYES, PETER M <[ph3693@att.com](mailto:ph3693@att.com)>  
Sent: Friday, September 27, 2019 2:27 PM  
**To:** Walker, Cynthia <[cynthia.walker@cpuc.ca.gov](mailto:cynthia.walker@cpuc.ca.gov)>  
**Cc:** Eckersley, Karen <[Karen.Eckersley@cpuc.ca.gov](mailto:Karen.Eckersley@cpuc.ca.gov)>; Fischer, Louise E. <[Louise.Fischer@cpuc.ca.gov](mailto:Louise.Fischer@cpuc.ca.gov)>; BERRY, MARK <[rnb2861@att.com](mailto:rnb2861@att.com)>  
Subject: Pasadena RING

Cynthia,

We are in receipt of your letter of September 18 to Mark Berry regarding the Pasadena RING. We have not had sufficient time to fully understand the issues raised in your letter, and we will need more time to respond. Our goal is to provide a constructive response.

Pete

Peter Hayes  
AT&T Services  
Assistant Vice President — Regulatory Affairs  
Office: (415) 417.5017  
Cell: (415) 601-9655