



LR1/eg3 1/11/2019

**FILED**  
01/11/19  
11:44 AM

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

Application of Hearsay Social, Inc. for  
Registration as an Interexchange Carrier  
Telephone Corporation pursuant to the  
Provisions of Public Utilities Code  
Section 1013.

Application 18-09-005

**ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING**

**Summary**

This Scoping Memo and Ruling sets forth the category, issues to be addressed, and schedule of the proceeding pursuant to Public Utilities (Pub. Util.) Code § 1701.1 and Article 7 of the Commission's Rules of Practice and Procedure.

**1. Procedural Background**

On September 5, 2018, Hearsay Social, Inc. (Hearsay) filed Application (A.) 18-09-005 for an expedited registration license as an interexchange carrier and "telephone corporation" pursuant to the Commission's registration process under Pub. Util. Code § 1013. On September 27, 2018, the Commission in Resolution ALJ-176-3424 determined that this Application is a ratesetting proceeding. The Application is assigned to Administrative Law Judge (ALJ) Scarlett Liang-Uejio. The Commission's Communication Division also reviewed the Application and confirmed that the Application did not qualify for review under the registration process pursuant to Pub. Util. Code § 1013 because Hearsay's requested services are considered enhanced and informational, and not the ordinary voice and data communication services permitted under the

registration process. This Application is therefore being reviewed as an application for a Certificate of Public Convenience and Necessity (CPCN) under Pub. Util. Code § 1001.

A prehearing conference (PHC) was held on December 6, 2018 to discuss the issues of law and fact and determine the need for hearing and schedule for resolving the matter. On December 20, 2018, Hearsay filed additional information pursuant to ALJ Liang-Uejio's Ruling issued on December 12, 2018.

After considering the Application and discussion at the PHC, I have determined the issues and schedule of the proceeding to be as set forth in this scoping memo.

## **2. Issues**

The issue to be determined is:

Whether Hearsay meets all Commission requirements for certification as an interexchange carrier such that it should be granted a CPCN in order to provide interexchange service in California.

## **3. Need for Evidentiary Hearing**

The Commission in Resolution ALJ 176-3424 preliminarily determined that evidentiary hearings were required. There are no issues of material disputed fact. Accordingly, I change the preliminary determination in Resolution ALJ 176 3424 and find that evidentiary hearing is not needed on the above issue.

## **4. Schedule**

This Application is currently under Commission review. The ALJ will determine whether the Application is complete and whether it meets the CPCN requirements. The proceeding will stand submitted upon the ALJ's determination.

The ALJ's proposed decision shall be filed no later than 90 days after submission for public review and comment pursuant to Pub. Util. Codes §§ 311(d) & (g) except that, if it grants the uncontested requested relief, public review and comment shall be waived pursuant to Rule 14.6(c)(2). The Commission anticipates issuing the final decision no later than 60 days after issuance of the proposed decision pursuant to Rule 15.4. Based on this schedule, the proceeding will be resolved within 18 months of the date the proceeding was initiated<sup>1</sup> as required by Pub. Util. Code § 1701.5. The Commission may extend the deadline by order.

#### **5. Category of Proceeding/*Ex-Parte* Restrictions**

This ruling confirms the Commission's preliminary determination in Resolution ALJ 176-3424 that this is a ratesetting proceeding. Accordingly, *ex-parte* communications are restricted and must be reported pursuant to Article 8 of the Commission's Rules of Practice and Procedure.

#### **6. Oral Argument**

Unless comment is waived pursuant to Rule 14.6(c)(2) for granting the uncontested relief requested, motion for oral argument shall be by no later than the time for filing comment on the proposed decision.

#### **7. Public Outreach**

Pursuant to Pub. Util. Code § 1711(a), I hereby report that the Commission sought the participation of those likely to be affected by this matter by noticing it in the Commission's October 2018 Monthly Newsletter that is served on communities and businesses that subscribe to it and posted on the Commission's website.

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<sup>1</sup> The date the Application was filed.

## **8. Public Advisor**

Any person interested in participating in this proceeding who is unfamiliar with the Commission's procedures or has questions about the electronic filing procedures is encouraged to obtain more information at <http://consumers.cpuc.ca.gov/pao/> or contact the Commission's Public Advisor at 866-849-8390 or 415-703-2074 or 866-836-7825 (TYY), or send an e-mail to [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov).

## **9. Service of Documents on Commissioners and Their Personal Advisors**

In this proceeding, parties are directed to serve documents electronically to the official service list, and the assigned ALJ and Commissioner pursuant to Rule 1.10.

When serving documents on Commissioners or their personal advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must NOT send hard copies of documents to Commissioners or their personal advisors unless specifically instructed to do so.

## **10. Assignment of Proceeding**

Liane M. Randolph is the assigned commissioner and Scarlett Liang-Uejio is the assigned ALJ for the proceeding.

**IT IS RULED** that:

1. The scope of this proceeding is described above.
2. The schedule of this proceeding is as set forth above.
3. Evidentiary hearings are not needed.

4. The category of the proceeding is ratesetting.

Dated January 11, 2019, at San Francisco, California.

/s/ LIANE M. RANDOLPH

Liane M. Randolph  
Assigned Commissioner