

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of Comcast Phone of California, LLC (U-5698-C) and its Related Entities (Collectively "Comcast") to Determine Whether Comcast Violated the Laws, Rules, and Regulations of this State in the Unauthorized Disclosure and Publication of Comcast Subscribers' Unlisted Names, Telephone Numbers, and Addresses.

Investigation 13-10-003
(Filed October 3, 2013)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to October 3, 2015.

Background

Public Utilities Code Section 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory and the statutory deadline for its resolution is October 3, 2014.

The Commission opened this investigation to consider whether Comcast Phone of California, LLC and its Related Entities (Collectively "Comcast") may have violated various constitutional provisions, statutory laws, rules, and regulations of this state in disclosing and publishing the names, telephone

numbers and addresses of Comcast's residential subscribers who paid a monthly fee to have that personal information be "unlisted"¹ and whether to penalize Comcast.

Two prehearing conferences were held on January 9, 2014 and May 21, 2014. Evidentiary hearings are set for October 1, 2014 through October 3, 2014. Parties are very active in this proceeding and several motions and rulings addressing these motions have been filed. On August 14, 2014, the Commission issued Decision 14-08-034, addressing one of the contested issues regarding intervenor compensation and granted leave to the Greenlining Institute and the Consumer Federation of California to file a notice of intent to claim intervenor compensation.

Parties have requested extensions to procedural deadlines and these extensions have delayed the course of the proceeding. The evidentiary stage of the proceeding is scheduled for October 1, 2014 through October 3, 2014, not allowing the completion of this investigation by the statutory deadline. Therefore, additional time is necessary for resolving this matter and the statutory deadline should be extended to October 3, 2015.

Waiver of Comments Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, the otherwise applicable period for public review is being waived.

¹ The reference to the word "unlisted" as noted in this decision refers to both unlisted and unpublished phone numbers.

Assignment of Proceeding

Carla J. Peterman is the assigned Commissioner and Dan H. Burcham is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The Commission instituted this investigation on October 3, 2013.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of their initiation, unless this date is extended.
3. Two prehearing conferences were held on January 9, 2014 and May 21, 2014. Evidentiary hearings are set for October 1, 2014 through October 3, 2014.
4. Parties have requested extensions to procedural deadlines and these extensions have delayed the course of the proceeding.
5. An extension of the 12-month deadline is necessary to hold evidentiary hearings on this matter and to issue a Presiding Officer's Decision.

Conclusions of Law

1. The statutory deadline imposed by Public Utilities Code Section 1701.2(d) should be extended until October 3, 2015.
2. This order should be effective immediately.

IT IS ORDERED that the statutory deadline in this proceeding is extended to October 3, 2015.

This order is effective immediately.

Dated _____, at San Francisco, California.