

Decision 18-08-004 August 9, 2018

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

Order Instituting Rulemaking Regarding  
Emergency Disaster Relief Program.

Rulemaking 18-03-011

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**DECISION AFFIRMING THE PROVISIONS OF RESOLUTIONS M-4833  
AND M-4835 AS INTERIM DISASTER RELIEF  
EMERGENCY CUSTOMER PROTECTIONS**

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**DECISION AFFIRMING THE PROVISIONS OF RESOLUTIONS M-4833  
AND M-4835 AS INTERIM DISASTER RELIEF  
EMERGENCY CUSTOMER PROTECTIONS**

**Summary**

This decision affirms that the emergency customer protections adopted in Resolutions M-4833 and M-4835 to support residential and small business customers of utilities affected by disasters and which affect utility service shall go into effect in the event of a state of emergency declared by the Governor of California. By this decision, the protections adopted in Resolutions M-4833 and M-4835 are controlling, interim authority while the Rulemaking 18-03-011 remains ongoing and until it concludes.

**1. Background and Discussion**

The state of California experienced major wildfires in 2017 that gravely impacted the lives of many Californians and affected multiple utility services across the state. The devastation, destruction, and disruption caused by these fires necessitated swift action by this Commission to assist utility customers devastated by the 2017 wildfires. The Commission adopted Resolutions M-4833 and M-4835 which required electric, gas, telephone, water and sewer utilities to take reasonable and necessary steps to assist Californians affected by a series of devastating wildfires in Northern and Southern California. The protections in Resolution M-4833 and M-4835 were aimed to help Californians who experienced housing or financial crises due to the 2017 wildfires.

On March 22, 2018, this quasi-legislative Order Instituting Rulemaking, (R.) 18-03-011, was initiated to consider whether the Commission should adopt permanent rules requiring all electric, gas, telephone, water and sewer utilities under this Commission's jurisdiction to make available comparable post-disaster customer protections measures to Californians in the event that certain types of

emergency disaster declarations are pronounced. Parties to this proceeding filed prehearing conference (PHC) statements<sup>1</sup> on April 30, 2018 and opening comments<sup>2</sup> on the Order Instituting Rulemaking (OIR) on May 2, 2018. A PHC was held on May 7, 2018 to discuss the issues contained within this OIR, to determine the need for hearing, and the schedule for resolving the matter.

We recognize the need for prompt Commission consideration of disaster preparedness and disaster relief as California experiences the harsh effects of climate change, which increases the probability and severity of disasters like wildfires. Consequently, Resolutions M-4833 and M-4835 are the controlling interim authority and shall remain in effect should a disaster occur that affects utility service between now and the time R.18-03-011 concludes. We note that the intensity of disasters can vary on a case-by-case basis and accordingly, affect utility customers differently and potentially, for varying amounts of time. The aim of this decision is to provide continuity and support to customers during

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<sup>1</sup> PHC Statements were filed on April 30, 2018, by: (1) PacifiCorp; (2) Liberty Utilities; (3) Southern California Edison Company; (4) Southern California Gas Company and San Diego Gas & Electric Company (jointly); (5) Pacific Gas and Electric Company; (6) Southwest Gas Corporation; (7) Office of Ratepayer Advocates (ORA); (8) CITA; (9) California Water Association (CWA); (10) The Utility Reform Network, Center for Accessible Technology, and National Consumer Law Center (jointly); (11) the Utility Consumer's Action Network; (12) Bear Valley Electric Service; and (13) Consolidated Communications of California Company (Consolidated).

<sup>2</sup> Comments on the OIR were filed on May 2, 2018, by: (1) CTIA; (2) San Diego Gas & Electric Company; (3) CWA; (4) Bear Valley Electric Service; (5) Southwest Gas Corporation; (6) Pacific Gas and Electric Company; (7) the Small LECs; (8) Consolidated Communications of California Company; (9) the Utility Consumer's Action Network; (10) ORA; (11) Citizens Telecommunications Company of California, Inc., Frontier Communications of the Southwest Inc., and Frontier California Inc., (jointly); (12) Southern California Edison Company; (13) Raiser-CA, LLC; (14) California Association of Competitive Telecommunications Companies (CALTEL); (15) the Center for Accessible Technology, The Utility Reform Network, and National Consumer Law Center (jointly); (16) MCI MetroAccess Transmission Services; (17) Southern California Gas Company; and (18) AT&T.

times of crisis by establishing interim, minimum disaster relief emergency protocols and protections to assist customers with recovery from indiscriminate harm. This aim is balanced against stakeholders need for flexibility to offer supplemental support.

To be sure, we support and encourage the utilities that are willing to do more. In other words, the utilities are not barred from implementing their own disaster assistance programs to augment these interim rules. That includes giving the utilities the discretion to apply or implement additional relief efforts that are unique to its customer experience, or to the specific type of damage resulting from a disaster, or to apply applicable customer protections for customers indirectly affected by the disaster when fairness and equity require auxiliary efforts to supplemental the rules set forth here.

We, in no way, discourage utilities from doing more: rather, we promulgate minimum, interim customer protections to ensure continuity and establish a baseline minimum response across the Commission's regulated entities. Indeed, we hope that when disaster strikes, the utilities contemplate additional support for their customers in addition to what is ordered in this decision.

Even as recently as July 5, 6, and 7, 2018, Governor Brown declared three states of emergency for separate fires in Siskiyou, San Diego, and Santa Barbara counties, respectively.<sup>3</sup> These fires destroyed structures, threatened critical

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<sup>3</sup> Governor Brown Declares a State of Emergency in Siskiyou County due to Klamathon Fire, in San Diego County due to West Fire, and in Santa Barbara County due to Holiday Fire, available at: <https://www.gov.ca.gov/proclamations/>.

infrastructure, caused power outages, and forced the evacuation of Californians from their homes. Time is of the essence to provide relief to those in need.

Therefore, these interim protections shall be put in effect upon a declaration of a state of emergency by the Governor of California where the disaster has either: (1) resulted in the loss or disruption of the delivery or receipt of utility service;<sup>4</sup> and/or (2) resulted in the degradation of the quality of utility service.<sup>5</sup> The period for which the protections apply shall be consistent with the determinations of Resolutions M-4833 and M-4835 or until utility service is restored.<sup>6</sup>

The protections and processes set forth apply statewide and on an ongoing basis for victims of the ongoing fires. The customers that will be afforded relief (covered) will be those affected in the counties declared in the Governor's state of emergency.

Consistent with Resolutions M-4833 and M-4835, the protections put into effect upon a declaration of a state of emergency for electric and gas residential and non-residential (small business) utility customers are:

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<sup>4</sup> Various parties state that "loss or disruption of the delivery or receipt of utility service" warrants clarification. We clarify that "loss or disruption of the delivery or receipt of utility service" means when a disaster has resulted in the destruction or damage of a structure, such that utility service is disrupted voluntarily or involuntarily due to safety concerns or re-construction activities to address the damage from a proclaimed state of emergency event.

<sup>5</sup> Various parties state that "degradation of the quality of utility service" warrants clarification. We clarify that "degradation of the quality of utility service" means when a disaster has resulted in the receipt of inadequate service quality of the utility's service.

<sup>6</sup> Cal. Pub. Util. Comm., Resolution M4833, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections to Support Residential Customers of the October 2017 California Wildfires*, Attachment 1 at 2; Cal. Pub. Util. Comm., Resolution M4835, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections Related to the December 2017 California Wildfires to Support Residential and Non-Residential Customers*, Attachment 2, at 2.

1. Waive deposit requirements for affected residential customers seeking to reestablish service for one year and expedite move-in and move-out service requests.<sup>7</sup>
2. Stop estimated energy usage for billing attributed to the time period when the home/unit was unoccupied as result of the emergency;<sup>8</sup>
3. Discontinue billing;<sup>9</sup>
4. Prorate any monthly access charge or minimum charges;<sup>10</sup>
5. Implement payment plan options for residential customers;<sup>11</sup>
6. Suspend disconnection for non-payment and associated fees, waive deposit and late free requirements for residential customers;<sup>12</sup>
7. Support low-income residential customers by: (a) freezing all standard and high-usage reviews for the California Alternate Rates for Energy (CARE) program eligibility in impacted counties until at least the end of the year and potentially longer, as warranted; (b) contact all community outreach contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes; (c) partner with the program administrator of the customer funded emergency assistance program for low-income

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<sup>7</sup> Cal. Pub. Util. Comm., Resolution M-4833, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections to Support Residential Customers of the October 2017 California Wildfires*, Attachment 1 at 5-9; Cal. Pub. Util. Comm., Resolution M-4835, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections Related to the December 2017 California Wildfires to Support Residential and Non-Residential Customers*, Attachment 2, at 4-6.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

- customers and increase the assistance limit amount for the next 12 months for impacted customers; and (e) indicate how the energy savings assistance program can be deployed to assist impacted customers;<sup>13</sup> and
8. Track costs in an appropriate memorandum account which shall be re-named the Emergency Customer Protections Memorandum Account from the Wildfires Customer Protections Memorandum Account and as appropriate, costs may be tracked in the Catastrophic Event Memorandum Account (CEMA).
  9. Follow the requirements that were stipulated for non-residential customers in Resolution M-4833 and M-4835.

We direct the regulated electric and natural gas utilities to file a Tier 1 Advice Letter with the Commission's Energy Division within 15 days of the Governor's state of emergency demonstrating compliance.

Additionally, we are still mindful that some residents may take energy service from community choice aggregators (CCA). To ensure continuity of relief and consistency of implementation of these emergency customer protections, the electric corporations shall meet and confer with the CCAs should the emergency situation necessitate such coordination. The parties shall discuss their roles and responsibilities for each emergency customer protection.

Next, consistent with Resolutions M-4833 and M-4835, the protections we put into effect upon a declaration of a state of emergency apply to telephone corporations,<sup>14</sup> including companies who provide access to 911/E911 in the

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<sup>13</sup> *Id.*

<sup>14</sup> This category of providers includes the following: 1) telephone corporations granted either a franchise or a Certificate of Public Convenience and Necessity (CPCN) pursuant to Public Utilities (PU) Code §1001, 2) telephone corporations registered under PU Code §1013, and 3) telephone corporations registered pursuant to the CPUC's Wireless Identification Registration (WIR) process.



residence, LifeLine providers, facilities-based providers of VoIP service, and carriers of last resort. The protections include:

1. Waiver of one-time activation fee for establishing remote call forwarding, remote access to call forwarding, call forwarding features and messaging services;<sup>15</sup>
2. Waiver of the monthly rate for one month for remote call forwarding, remote access to call forwarding, call forwarding, call forwarding features, and messaging services;<sup>16</sup>
3. Waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the premises;<sup>17</sup>
4. Waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire Plan;<sup>18</sup>
5. Waiver of the fee for up to five free jacks and associated wiring for Inside Wiring Plan customer upon their return to their permanent location;<sup>19</sup>
6. A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location;<sup>20</sup>

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<sup>15</sup> Cal. Pub. Util. Comm., Resolution M-4833, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections to Support Residential Customers of the October 2017 California Wildfires*, Attachment 1 at 10-16; Cal. Pub. Util. Comm., Resolution M-4835, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections Related to the December 2017 California Wildfires to Support Residential and Non-Residential Customers*, Attachment 2 at 8-13.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

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

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

7. Delay of the California LifeLine Renewal Process and suspension of the de-enrollment of non-usage rules;<sup>21</sup> and
8. Implement the outreach methods as stipulated in Resolution M-4835.<sup>22</sup>

Moreover, we apply protections to customers of communications services that may not be residentially-based but provide access to E911 service and/or LifeLine service. We are aware that some of these carriers undertook significant customer support measures during the 2017 wildfires. To ensure that these resources are provided in the future, we direct all facilities-based wireless telephone corporations to provide the following protections, similar to what they provided during the 2017 wildfires:

1. Deployment of mobile equipment, including Cells on Wheels and Cells on Light Trucks, to supplement service in areas that need additional capacity to ensure access to 911/E911 service;
2. Provide device charging stations in areas where impacted wireless customers seek refuge from fires;
3. Provide WiFi access in areas where impacted wireless customers seek refuge from fires;
4. Provide “loaner” mobile phones to impacted customers whose mobile phones are not accessible due to fires;
5. The Commission urges wireless carriers to allow customers to defer or phase payment for coverage charges for data, talk, and text for defined periods time; and
6. The Commission urges wireless carriers to extend payment dates for service for defined periods of time for impacted customers.

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at 13.

For some providers of wireless LifeLine service that are not facilities-based providers, we refer them to the LifeLine rules.

Finally, the protections put into effect upon a declaration of a state of emergency for water and sewer residential and non-residential (small business) customers include directives to the regulated water and sewer utilities that include:<sup>23</sup>

1. Activation of their CEMA;<sup>24</sup>
2. Make insurance claims on all costs and expenses incurred as a result of the fires, and credit insurance payments to their CEMA;
3. Work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for non-payment;
4. Waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system;
5. Provide reasonable payment options to affected customers; and
6. Waive bills for victims who lost their homes. Costs of lost revenues may be included in the appropriate CEMA account.

We note that Resolution M-4835 did not include customer protections for water and sewer customers because none of the 2017 Southern California wildfires affected the service territories within the Commission's jurisdiction. However, should a disaster occur within the state and in the service territory of a regulated utility within the jurisdiction of this Commission, the water and sewer

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<sup>23</sup> Cal. Pub. Util. Comm., Resolution M-4833, *Emergency Authorization and Order Directing Utilities to Implement Emergency Consumer Protections to Support Residential Customers of the October 2017 California Wildfires*, Attachment 1 at 10-16.

<sup>24</sup> Pursuant to Resolution M-4833, Mayacama has never established a CEMA and shall be exempt from this requirement. Water Division is of the understanding that Mayacama's losses, including for service interruption, are to be covered by insurance.

utilities subject to the Commission's jurisdiction shall implement the emergency protections in Resolution M-4833, which we repeat above.

## **2. Implementation**

We agree that that the use of a Tier 1 advice letter rather than a Tier 2 advice letter allows for an immediate implementation of the emergency customer protections. Therefore, each of the electric, gas, telephone, water and sewer companies shall file a Tier 1 advice letter demonstrating compliance and activation of the customer protections in Resolutions M-4833 and M-4835 in the event of an emergency declared by the Governor of California. The Tier 1 advice letter shall be filed with the Commission's respective Energy Division, Communications Division, and Water Division.

## **3. Conclusion**

Until R.18-03-011 completes, Resolutions M-4833 and M-4835 shall remain in effect should a disaster occur that affects the utility service of residential and non-residential (small business) customers within this Commission's jurisdiction.

## **4. Comment Period**

The proposed decision of Commissioner Picker in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on July 30, 2018 by: (1) Southern California Edison Company (SCE); (2) San Diego Gas and Electric Company (SDG&E) and Southern California Gas Company (SoCalGas), jointly; (3) PacifiCorp; (4) CWA; (5) CTIA; (6) CALTEL; (7) Consolidated; (8) Small LECs; (9) AT&T; (10) Cox Communications; (11) ORA; and (12) The Utility Reform Network (TURN), Center for Accessible Technology (CforAT), and National Consumer Law Center (NCLC) jointly.

SCE made the following recommendations: (1) use of a Tier 1 advice letter to demonstrate compliance and activation of customer protections in the event of an emergency declared by the Governor of California; (2) clarify that customer protections apply when a customer's home or small business is destroyed or damaged by disaster; and (3) allow the utilities to continue to have discretion to apply emergency customer protections for equitable reasons. We agree. The decision has been revised to make these clarifications.

SDG&E and SoCalGas made the following recommendations: (1) confirm the 15-day filing requirement from the date of the Governor's emergency proclamation; and (2) grant authority to modify SDG&E's and SoCalGas's wildfires customer protections memorandum accounts and booked costs to extend their applicability to costs for implementing customer protections for all types of disasters, not only wildfires, as they may be declared by the Governor during this interim authority period. The decision has been revised to make these clarifications.

PacifiCorp requested clarification on: (1) whether the proposed decision applies, with respect to gas and electric utilities, only to the large utilities; and (2) if the requirements were extended to PacifiCorp, clarification on certain requirements. The decision has been revised to make these clarifications.

CWA requested confirmation that implementation of the protections should be made by a Tier 1 advice letter rather than a Tier 2 advice letter within 15 days of a Governor's state of emergency. The decision has been revised to make these clarifications.

ORA supported the proposed decision's customer protections for electric and gas residential and non-residential customers as well as the residential and non-residential customers of water and sewer utilities. ORA asked that the

Commission clarify that interconnected Voice over Internet Protocol (VoIP) and wireless providers are covered by this proposed decision. The decision has been revised to clarify that wireless service providers are covered to the extent that the federal pre-emption for regulation of rates is preserved<sup>25</sup> and facilities-based providers which offer VoIP service are covered.

CTIA, CALTEL, AT&T, and Cox supported the overarching goal of the proposed decision but disagreed with the proposed decision's approach and application of the protections. CTIA, CALTEL, AT&T, and Cox offered alternative recommendations and arguments against providing mandatory support. We have considered their arguments.

Consolidated supports the interim application of emergency consumer protections but notes that not all emergencies are the same and do not warrant the same responses. The decision notes the distinction Consolidated makes.

The Small LECs stated that both on an interim and more permanent basis, cost recovery issues must be provided for cost-of-service regulated utilities. The Small LECs recommend that in the course of this proceeding, the Commission consider any modifications that may be necessary to ensure that memorandum accounts (e.g., Catastrophic Event Memorandum Account or others as may be authorized from time to time) reflect any changes in the scope of the declared disasters subject to the relief measures being considered. We will consider this recommendation through the duration of R.18-03-011.

TURN/CforAT/NCLC welcomed the additional relief the utilities may be willing to provide, and asked the Commission to explicitly state that utilities are

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<sup>25</sup> Non-facilities based providers of LifeLine service are subject to LifeLine rules.

not barred from implementing their own disaster assistance program to supplement the rules we promulgate here. The decision has been revised to make this clarifications. Additionally, TURN/CforAT/NCLC asked for clarification that LifeLine customers can be kept in the program by relying on state-only funding for appropriate carrier reimbursement. We will consider this recommendation during the workshops of R.18-03-011.

Reply Comments were filed on Monday, August 6, 2018 by the following parties: (1) SDG&E and SoCalGas, jointly; (2) ORA; (3) California Cable and Telecommunications Associations (CCTA); (4) CWA; (5) AT&T; and Southwest Gas Corporation.

In their reply comments, SDG&E and SoCal Gas stated that they supported SCE's proposal to adopt an information only Tier 1 advice letter filing of compliance and SCE's request that the Commission provide clarification for "loss or disruption of the delivery or receipt of utility service." We adopted SCE's recommendation for a Tier 1 advice letter. We also provided the clarification for "loss or disruption of the delivery or receipt of utility service" by clarifying that it means, "when a disaster has resulted in the destruction or damage of a structure, such that utility service is disrupted voluntarily or involuntarily due to safety concerns or re-construction activities to address the damage from a proclaimed state of emergency event."

In its reply comments, ORA stated it supports application of the customer protections to all Commission regulated gas and electric utilities' residential and non-residential (small business) customers as well as water and sewer residential and non-residential (small business) customers. ORA supported SCE and CWA's request for clarification that it is the Commission's intent to cover both residential and non-residential (small business) customers. We provide such

clarification in this decision. ORA also supported the Commission's efforts to support customers of telephone and wireless services and that if a wireless provider "does not charge for the services listed" in the Tier 1 advice letter, it is a "simple matter for them to demonstrate this compliance in their compliance filing." We agree.

For its part, CCTA opposed extending the emergency customer protections to VoIP and wireless customers and took issue with ORA's request for clarification that VoIP and wireless providers are covered entities of this Decision. We disagree with CCTA.

CWA requested in its reply comments that the Commission should adopt a Tier 1 advice letter, as SCE proposed in its opening comments. We agree. CWA also recommended that the utilities should retain managerial discretion to extend relief for equitable reasons and to record those costs for recovery. We agree with this as well. As a point of clarification, CWA recommended that the Commission clarify that the water utilities may provide disaster relief to affected non-residential customers. We agree.

Finally, AT&T stated in its reply comments that neither the record nor the decision justify the need for interim customer assistance. We disagree. Next, AT&T argues that destruction or damage to property is a necessary criterion as recommended by SCE. We disagree with AT&T's interpretation of SCE's comments and accordingly, have addressed SCE's request for clarification on the topic by adopting SCE's proposed recommendations. Finally, AT&T states it agrees with Cox and CWA that an interim decision should not prejudice the issues. We agree. This decision is adopted on an interim basis and R.18-03-011 remains open and with it, all of the issues as the Commission considers a permanent customer assistance program.



## **5. Assignment of Proceeding**

Michael Picker is the assigned Commissioner and Colin Rizzo is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. Resolutions M-4833 and M-4835 required electric, gas, telephone, water and sewer utilities to take reasonable and necessary steps to assist Californians affected by a series of devastating 2017 wildfires in Northern and Southern California.

2. The protections in Resolutions M-4833 and M-4385 were aimed to help Californians who experienced housing or financial crises due to the 2017 wildfires.

3. On March 22, 2018, R.18-03-011 was initiated to consider whether the Commission should adopt permanent rules requiring all electric, gas, telephone, providers, water and sewer utilities under this Commission's jurisdiction to make available comparable post-disaster customer protections measures to Californians in the event that certain types of emergency disaster declarations are pronounced.

### **Conclusions of Law**

1. It is reasonable to establish the customer protections adopted in Resolutions M-4833 and M-4835 as the controlling interim authority should a disaster occur between now and the time R.18-03-011 concludes.

2. The protections in Resolution M-4833 and M-4835 shall go into effect upon a state of emergency declaration by the Governor of California where the disaster has either: (1) resulted in the loss or disruption of the delivery or receipt of utility service; and/or (2) resulted in the degradation of the quality of utility service.

3. The period of time for which the protections apply shall be consistent with the determinations held in Resolutions M-4833 and M-4835, or until utility service is restored.

4. The protections in Resolutions M-4833 and M-4835 shall apply to residential and non-residential (small business) electric and gas customers in affected areas pronounced by the Governor's Office within the affected service territory of the electric and gas utilities under this Commission's jurisdiction.

5. The electric and gas corporations under this Commission's jurisdiction who are covered under this Decision include: (1) Pacific Gas and Electric Company; (2) Southern California Edison Company; (3) San Diego Gas and Electric Company; (4) Southern California Gas Company; (5) PacifiCorp; (6) Liberty Utilities (CalPECO Electric) LLC; (7) Bear Valley Electric Service (a division of Golden State Water Company); (8) Southwest Gas Corporation ; (9) Alpine Natural Gas, Inc.; (10) West Coast Gas Company, Inc.; and (11) Catalina Island Gas Services.

6. It is reasonable to require all of the electric and gas corporations under this Commission's jurisdiction, as stipulated in Conclusions of Law paragraph 5, to file a Tier 1 advice letter with the Commission's Energy Division within 15 days of the Governor's state of emergency proclamation demonstrating compliance with the protections in Resolutions M-4833 and M-4835:

- (a) Waive deposit requirements for affected residential customers seeking to reestablish service for one year and expedite move in and move out service requests;
- (b) Stop estimated usage for billing attributed to the time period when the home/unit was unoccupied as result of the emergency;
- (c) Discontinue billing;
- (d) Prorate any monthly access charge or minimum charges;

- (e) Implement payment plan options for residential customers;
- (f) Suspend disconnection for nonpayment and associated fees, waive deposit and late fee requirements for residential customers;
- (g) Support low-income residential customers by:
  - (i) Freezing all standard and high usage reviews for CARE program eligibility in impacted counties until at least the end of the year and potentially longer, as warranted;
  - (ii) contact all community outreach contractors, the community based organizations who assist in enrolling hard to reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes;
  - (iii) partner with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers; and
  - (iv) Indicate how the energy savings assistance program can be deployed to assist impacted customers;
- (h) Track costs in an appropriate memorandum account such as the Emergency Customer Protections Memorandum Account (ECPMA) or Catastrophic Event Memorandum Account (CEMA);
- (i) Meet and confer with a community choice aggregator within their service territory should the emergency situation necessitate such coordination; and
- (j) Follow the requirements that were stipulated for non-residential customers in Resolutions M-4833 and M-4835.

7. The protections in Resolutions M-4833 and M-4835 shall apply to residential service providers who provide access to 911/E911 in the residence, facilities-based providers of VoIP service, LifeLine providers and carriers of last resort which provide service in areas identified in the Governor's emergency proclamation.

8. It is reasonable to require the residential service providers who provide access to 911/E911 in the residence, facilities-based providers of VoIP service, LifeLine providers and carriers of last resort to file a Tier 1 advice letter with the Commission's Communications Division within 15 days of the Governor's state of emergency proclamation demonstrating compliance with the protections in Resolutions M-4833 and M-4835:

- (a) Waiver of one-time activation fee for establishing remote call forwarding, remote access to call forwarding, call forwarding features and messaging services;
- (b) Waiver of the monthly rate for one month for remote call forwarding, remote access to call forwarding, call forwarding, call forwarding features, and messaging services;
- (c) Waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the premises;
- (d) Waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire Plan;
- (e) Waiver of the fee for up to five free jacks and associated wiring for Inside Wiring Plan customer upon their return to their permanent location;
- (f) Waiver of the fee for one jack and associated wiring for non-plan customers upon their return to their permanent location;
- (g) Delay of the California LifeLine Renewal Process and suspension of the de-enrollment of non-usage rules; and
- (h) Implement the outreach methods as stipulated in Resolutions M-4833 and M-4835.

9. It is reasonable to require all facilities-based wireless telephone corporations to undertake the same provision of the same measures some of the companies afforded customers during the 2017 wildfires, which include:

- (a) Deployment of mobile equipment, including Cells on Wheels and Cells on Light Trucks, to supplement service in areas that need additional capacity to ensure access to 911/E911 service;
- (b) Provide device charging stations in areas where impacted wireless customers seek refuge from fires;
- (c) Provide WiFi access in areas where impacted wireless customers seek refuge from fires;
- (d) Provide “loaner” mobile phones to impacted customers whose mobile phones are not accessible due to fires;
- (e) The Commission urges wireless carriers to allow customers to defer or phase payment for coverage charges for data, talk, and text for defined periods time; and
- (f) The Commission urges wireless carriers to extend payment dates for service for defined periods of time for impacted customers.

10. For some providers of wireless LifeLine service that are not facilities-based providers, we refer them to LifeLine rules.

11. It is reasonable to require the non-residentially-based communications service providers who provide access to E911 and/or LifeLine services to file a Tier 1 Advice Letter within 15 days of the Governor’s state of emergency proclamation with the Commission’s Communications Division demonstrating compliance with the protections stipulated in Resolutions M-4833 and M-4835.

12. The protections in Resolutions M-4833 and M-4835 shall apply to residential and non-residential (small business) water and sewer customers in areas pronounced by the Governor’s Office within the affected service territory of the water and sewer companies under this Commission’s jurisdiction.

13. It is reasonable to require the water and sewer companies under this Commission’s jurisdiction to file a Tier 1 advice letter within 15 days of the Governor’s state of emergency proclamation with the Commission’s Water Division demonstrating compliance with the protections in Resolutions M-4833

and M-4835 stipulating: (a) activation of their CEMA; (b) make insurance claims on all costs and expenses incurred as a result of the fires, and credit insurance payments to their CEMA; (c) work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for nonpayment; (d) waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system; (e) provide reasonable payment options to affected customers; and (f) waive bills for victims who lost their homes or small businesses. Costs of lost revenues may be included in the appropriate CEMA account.

14. It is reasonable to encourage the utilities to undertake additional customer support initiatives under their own discretion, in addition to and complementary to the rules established here.

## **ORDER**

**IT IS ORDERED** that:

1. The Commission's adopted emergency customer protections in Resolutions M-4833 and M-4385 shall apply to affected areas in a state of emergency declared by the Governor's Office and shall remain in effect pursuant to the timelines established in Resolutions M-4833 and M-4835 or until there is full restoration of utility service. Nothing in this Decision bars or otherwise prohibits utilities from implementing their own disaster assistance programs to supplement these adopted emergency customer protections.

2. In the event the Governor of California declares a state of emergency because a disaster has either resulted in the loss or disruption of the delivery or receipt of utility service and/or resulted in the degradation of the quality of

utility service: (1) Pacific Gas and Electric Company; (2) Southern California Edison Company; (3) San Diego Gas and Electric Company; (4) Southern California Gas Company; (5) PacifiCorp; (6) Liberty Utilities (CalPeco Electric LLC); (7) Bear Valley Electric Service (a division of Golden State Water Company); (8) Alpine Natural Gas, Inc.; (9) Southwest Gas Corporation; (10) West Coast Gas Company, Inc.; (11) Catalina Island Gas Services shall file a Tier 1 Advice Letter within 15 days of the Governor's state of emergency proclamation reporting compliance with Resolutions M-4833 and M-4835 pursuant to this Decision.

3. Pacific Gas and Electric Company, (2) Southern California Edison Company; (3) San Diego Gas and Electric Company, (4) Southern California Gas Company, (5) PacifiCorp, (6) Liberty Utilities (CalPeco Electric LLC), (7) Bear Valley Electric Service (a division of Golden State Water Company), (8) Alpine Natural Gas, Inc., (9) Southwest Gas Corporation, (10) West Coast Gas Company, Inc., and (11) Catalina Island Gas Services shall file a Tier 2 Advice letter no later than 30 days from the date of this decision stating that they have modified or implemented, as appropriate, their respective Emergency Customer Protections Memorandum Accounts and to extend their applicability of those memorandum accounts to costs for implementing customer protections for all disasters where the Governor of California has declared a state of emergency and accordingly, state which tariff changes, if any and if necessary, pursuant to this Decision. Emergency Customer Protections Memorandum Account tariff language must specify that entries in the account will be segregated by qualifying event.

4. In the event the Governor of California declares a state of emergency because a disaster has either resulted in the loss or disruption of the delivery or

receipt of utility service and/or resulted in the degradation of the quality of utility service, regulated water and sewer utilities shall file a Tier 1 advice letter within 15 days reporting compliance with Resolutions M-4833 and M-4835 pursuant to this Decision and costs of lost revenues may be included in the appropriate Catastrophic Even Memorandum Account.

5. In the event the Governor of the state of California declares a state of emergency because a disaster either resulted in the loss or disruption of the delivery or receipt of utility service and/or resulted in the degradation of the quality of utility service, residential service providers who provide access to 911/E911 in the residence, facilities-based providers of VoIP service, LifeLine providers and carriers of last resort in areas impacted by the disaster shall file a Tier 1 advice letter within 15 days reporting compliance with Resolutions M-4833 and M-4835 pursuant to this Decision.

6. In the event the Governor of the state of California declares a state of emergency because a disaster has either resulted in the loss or disruption of the delivery or receipt of utility service and/or resulted in the degradation of the quality of utility service, require all facilities-based wireless telephone corporations who provide service in an area impacted by the disaster shall file a Tier 1 advice letter within 15 days reporting compliance with Resolutions M-4833 and M-4835 pursuant to this Decision.



This order is effective today.

Dated August 9, 2018, at San Francisco, California.

MICHAEL PICKER

President

CARLA J. PETERMAN

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

Commissioners