BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

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Order Instituting Rulemaking to Improve Public Safety by Determining Methods for Implementing Enhanced 9-1-1 Services for Business Customers and for Multi-line Telephone System Users	Rulemaking 10-04-011

COMMENTS OF CALIFORNIA CABLE AND TELECOMMUNICATIONS ASSOCIATION

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June 1, 2011

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Pursuant to Administrative Law Judge ("ALJ") Grau's[1] ruling issued on May 2, 2011 in the above-noted proceeding, the California Cable and Telecommunications Association ("CCTA") comments on the Communication Division's ("CD") Technical Workgroup Summary and questions raised in the ALJ Ruling regarding the provisioning of Enhanced ("E") 9-1-1 caller location information for phone stations served by multiple-line telephone systems ("MLTS") used by businesses in California.

CCTA Supports CPUC Distribution of the Revised Customer Brochure

As described in the Technical Workshop Summary, the Commission Staff invites comment on the CD-revised Joint Carriers customer brochure.[2] CCTA supports the 9-1-1 MLTS customer brochure, but as further modified and included in the SureWest/Small LEC Comments

[1] R. 10-04-011 was reassigned to ALJ Kimberly H. Kim on May 18, 2011.
[2] See Revised Customer Brochure, ATTACHMENT B to the ALJ Ruling.

on the subject.[3] The further-modified brochure contains proposed corrections and clarifications from Joint Carriers, as well as input from the broader telecommunications industry, that improve the document by making it more understandable for customers and less ambiguous on the issue of who is responsible for contacting the 9-1-1 County coordinator concerning systems testing.[4] With those changes, the contents of the revised brochure provide an effective means of educating business customers about the risks of having an inadequate E 9-1-1 solution for multi-floor or multi-building premises, and that various types of solutions are available, practical, and implementable to help assure the accurate reporting of 9-1-1 caller location in a business environment. Moreover, CCTA agrees that the CPUC website, including the CPUC- created CalPhoneInfo website, is the appropriate location for the document. Those sites would provide an authoritative and easily accessible location where a maintained version of the document could reside.

While CCTA supports CPUC distribution of the revised brochure, we do wish to correct an apparent misunderstanding of the reasons behind Cable's initial non-committal position as referenced in the Technical Workgroup Summary. The CD's summary states that cable companies who participated in the workgroup "did not commit to supporting the "Joint Carriers" proposal since they claim they are not in the business of serving large business with PBX's and do not currently offer PS/ALI service."[5] To be clear, cable participants did support those concepts in the draft brochure regarding the need to: advise business customers with MLTS on the safety issues related to E 9-1-1 call location; explain customer options for addressing the issue; and to provide information concerning where to obtain additional information. However,

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[3] The further modified brochure is labeled as "Exhibit A" and appended to the Comments of SureWest and Small LECS dated June 1, 2011 in response to the May 2, 2011 ALJ Ruling.

[4] See, for example, revised brochure's "Reduce Your Risk Profile" section.

[5] Technical Workgroup Summary at 3.

cable participants also sought to educate other workgroup participants that there are differences between phone companies and cable companies – and even among cable companies, concerning how, and whether, MLTS- related services are provided. For example, the Technical Workgroup Report alludes to one scenario, where a cable company serves only the residential customer and does not offer service to large business.[6] In contrast, some cable companies do serve large business customers. Where that is the case, participating cable companies indicated to the workgroup that they will, where service offerings warrant, convey information necessary to assure that customers are educated concerning the risks of having an inadequate E 9-1-1 solution for MLTS building premises, and that various types of solutions are available., For example, cable companies can provide this E 9-1-1 related information in contract agreements with business customers.

Finally, the Technical Workgroup Summary refers to the FCC's E 9-1-1 requirements on IP-enable service providers.[7] CD notes that Cable operators indicated that customers are provided with informational stickers for IP-enabled phone service, pursuant to the FCC's E 9-1-1 requirements. CD then compares Cable's use of informational stickers with AT&T and CLEC's websites that apparently address MLTS as well, saying those websites "go well beyond simple warning stickers."[8] CCTA clarifies that no cable company claimed that the FCC's E 9-1-1 informational sticker requirement on IP-enable service providers was the extent to which cable companies with business customers using MLTS would go to educate customers regarding the issue of MLTS related E 9-1-1 caller location.

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[6] Report at 3.
[7] Technical Workgroup Summary at 4.
[8] Id.

CCTA Is Reluctant To Take a Position On Yet-To -Be -Written MLTS Legislation

The CD's Technical Workgroup Summary tacitly recognizes that the Commission lacks jurisdiction over MLTS customers and third-party equipment providers - those in the best position to address the issue of inaccurate reporting of 9-1-1 caller location from PBX/Enterprise phone systems. In CD's view, "[w]hat is needed is a legal requirement on the PBX owner/lessee, an enforcement mechanism and penalties for non-compliance, as was identified at the July 26-27 workshop." [9] The ALJ Ruling accordingly requests that parties comment on "whether they support, do not oppose, or oppose the NENA Model Legislation, with the February, 2011 updated technical requirements document" as contained in the Workgroup Summary.[10]

The NENA Model Legislation contained in Attachment A, as appended to the ALJ Ruling, does not contain a proposed bill or any material in legislative form. Instead, the NENA document provides only technical requirements for such legislation. CCTA respectively reserves judgment on what position it may take concerning any proposed legislation intended to address E 9-1-1for multi-line telephone systems until the proposed language appears in legislative form. In general, CCTA agrees with those workshop participants who recommended that the Commission's best course of action in this proceeding is to further educate business customers about the risks of having an inadequate E 9-1-1 solution for multi-floor or multi-building premises. However, if a MLTS- related bill were developed that would improve the safety of our customers while not imposing unreasonable and excessively burdensome compliance obligations, costs, or penalties, we would support that bill.

[9] Technical Workgroup Summary at 6.

CONCLUSION

CCTA supports the Commission's effort to improve public safety related E 9-1-1 through MLTS systems and joins in the recommendation to distribute the Revised Customer Brochure through CPUC websites.

Respectfully submitted,

California Cable and Telecommunications Association

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June 1, 2011

[10] ALJ Ruling at 2.

CERTIFICATE OF SERVICE

I, RICHELLE ORLANDO, HEREBY CERTIFY THAT, PURSUANT TO THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE, I HAVE THIS DAY SERVED A TRUE COPY O F THE REPLY COMMENTS OF CALIFORNIA CABLE AND TELECOMMUNICATIONS ASSOCIATION ON ALL PARTIES IDENTIFIED ON THE ATTACHED OFFICIAL SERVICE LIST FOR RULEMAKING R.10-4-011. A PAPER COPY HAS BEEN MAILED TO:

ALJ KIMBERLY H. KIM
CALIFORNIA PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

Service completed by electronic copy on e-mail addresses of record.

Executed on June 1, 2011, at Sacramento, California

/s/ Richelle Orlando

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