



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Order Instituting Rulemaking Regarding
Whether to Allow Access to 211 Services in
Counties and Localities without 211 Centers.

Rulemaking 10-06-002
(Filed June 3, 2010)

**RESPONSE TO ADMINISTRATIVE LAW JUDGE RULING SETTING
SECOND WORKSHOP**

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I. INTRODUCTION

The Division of Ratepayer Advocates (DRA) hereby submits this Response to the *Administrative Law Judge's (ALJ) Ruling Setting a Second Workshop* (Ruling), filed on February 15, 2011. DRA supports the ALJ's effort to define the appropriate role and qualifications of 211 lead entities. Generally speaking, DRA believes any such lead entity should have experience in disaster preparedness, a track record of fiscal and operational excellence, no bad prior regulatory history, and accountability to the Commission for its performance. To the extent 2-1-1 California possesses these attributes, DRA supports its being appointed lead agency. However, we agree that a workshop is necessary to flesh out these issues, learn more about 2-1-1 California itself, and set ground rules and expectations for how 211 services are offered.

DRA is also interested in learning at the workshop the timeline for implementation of 211 service in San Mateo County, the site of the PG&E San Bruno pipeline disaster. DRA also supports the Commission's initiative into possibly extending 211 services to the counties that currently lack the service. Finally, DRA believes wireless providers should be required to provide the service, but will not that address that issue further here as we have already briefed the issue.

II. BACKGROUND

On February 4, 2010, 2-1-1 California submitted a Petition to the Commission to be Designated Lead Entity and to Enable Emergency Access to 211 Services in Counties and Localities without Existing 211 Centers (Petition). On June 3, 2010, the Commission opened this Order Instituting Rulemaking (OIR) looking more broadly at 211 service, and rolled 2-1-1 California's request for lead entity status into the proceeding. A first workshop was held in September 2010 focused on broad policy issues, including service to unserved counties and wireless carrier requirements. The ALJ has now set the second workshop focused on the requirements applicable to lead entities, including 2-1-1 California.

At the first workshop, the record revealed that utility ratepayer funding is not used to furnish 211 service. Rather, lead entities obtain funding to support 211 from grants and other governmental funding. If this premise is not correct, we urge parties to the proceeding to correct it; assuming it is correct, DRA will not focus on ratemaking or cost issues at the workshop.

After the first workshop, 2-1-1 California filed a motion to bifurcate the proceeding and expedite Commission designation of 2-1-1 California as a lead entity. While no party opposed the motion to expedite, the ALJ issued her ruling and notice of workshop seeking more information about the appropriate qualifications for a 211 lead agency.

III. DISCUSSION

DRA appreciates the ALJ's care in scheduling the additional workshop, especially since 2-1-1 California seeks to provide non-emergency disaster assistance, and not more routine everyday service. Such vital assistance must be carried out by an entity with a track record of operational and fiscal prudence.

By the same token, given the availability of other funding, DRA opposes the use of utility ratepayer funds to subsidize 211 services or 2-1-1 California. While we do not believe the ALJ or 2-1-1 California plan to seek or impose such funding, DRA requests a specific ruling making this point clear.

On the ALJ's specific questions about the required qualifications of 211 providers generally and 2-1-1 California particularly, DRA can offer only general observations. We believe all such providers must have a proven track record of excellent service, adequate fiscal and operational management, and accountability to the Commission for the work they do. We will be better able to address specifics when we see the input of the parties with more direct experience with the 211 program.

Finally, we urge the ALJ to add to the workshop agenda a report on the status of 211 rollout in San Mateo County, the site of the San Bruno disaster and the only urban county without 211 service.

IV. CONCLUSION

DRA supports the Commission's investigation into extending 211 services to counties currently without the service. Given the availability of other funding, DRA opposes utility ratepayer funding of 211 service, but agrees that the Commission should set the qualifications for 211 providers. We will give more specific input at the workshop.

Respectfully submitted,

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