

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Telecommunications Division
Carriers Branch**

RESOLUTION T-16807

R E S O L U T I O N

Resolution T-16807. All Telecommunications Carriers. Executive Action Order Authorizing Deviations To General Order 96A Advice Letter Filings Pursuant To Resolution M-4809, June 19, 2003.

Summary

This Executive Director Action Resolution, pursuant to Resolution M-4809, June 19, 2003, authorizes deviations for telecommunications carriers to General Order 96A Sections II C (Form and Construction of Tariff Schedules); III B (Number of Copies); III G (Notice); III H (Protest); III K (Withdrawal); V C (Return of Copy of Tariff to Utility); VII (Tariff Sheet Rejection Procedure); VIII A (Tariff Schedules Open for Public Inspection); and X (Contracts and Services at Other than Filed Tariff Schedules) . The deviations specified in Attachment A are authorized effective immediately, and should be implemented at the direction of the Telecommunications Division.

Background

The Commission passed Resolution M-4809 on June 19, 2003, authorizing the Executive Director to grant deviations from General Order 96-A regarding submission of tariff sheets, contracts, and Advice Letters. The Telecommunications Division currently licenses some 1700 telephone carriers and receives over 4000 Advice Letter filings a year.

The Division, in consultation with the ALJ, Legal and Consumer Services Divisions, started experiments in 2002 and earlier this year to minimize, if not eliminate, the paper volume involved in processing Advice Letter filings. The first involved the Consumer Services Division and was designed to eliminate two redundant Advice Letter copies; a trial experiment on e-mail notification of the disposition of filings (instead of a stamped returned copy) was included. The second involved

submitting Advice Letters and tariff sheets/contracts by files on CD-ROM instead of paper. Both experiments have been successful and have resulted in labor and document storage and retrieval improvements. Current General Order 96-A requirements for Advice Letter and tariff sheet/contract submission and processing and the alternatives proposed by the Telecommunications Division are discussed below.

Discussion

Current General Order 96A Advice Letter(AL) and Tariff Shee/Contractt Filing and Processing Requirements

The following process is necessary for both telecommunications carriers and Telecommunications Division staff to comply with current General Order 96-A requirements:

- Number of Copies filed – 4 (AL and tariff sheets/contracts)
- Original maintained in SF-TD (including PAL processing sheet)
- Two copies stamped with effective date and sent to CAB (SF/LA)
- One copy stamped with effective date and returned to utility via US mail
- AL separated and stored chronologically in company's AL file
- Old tariff sheets cancelled and stored in company's cancelled sheet file
- New tariff sheets stamped with effective date and filed in company's tariff file
- Notice of filing published in Commission Daily Calendar (after PAL log-in)
- Protest by letter or telegram permitted, within 20 days of filing
- Public Inspection at CPUC offices and Company Offices; D.01-07-26 requires large utilities to post current tariff on Internet

Although it has exempted wireless and non-dominant inter-exchange carriers from filing tariffs by Advice Letters, the Commission still receives over 4000 Advice Letter filings a year from telecommunications carriers. The Telecommunications Division cannot process this number of filings consistent with the above process necessitated by the current General Order 96-A. Instead, the Division proposes the following alternative.

Telecommunications Division Proposed Executive Director (M-4809) Changes to General Order 96-A

- All telecommunications carriers submit CD-ROM Advice Letters (including tariff sheets, contracts, and work-papers) with one paper copy of AL and PAL sheet; PAL sheet retained for quality control purposes, other paper discarded after staff review; files stored on secure Commission server.
- Utility enters proposed filed date/effective dates on tariff sheets.
- Utility indicates e-mail address on PAL sheet to receive AL status certificate after the Tele communications Division approves and makes AL effective.
- AL Status Certificate determines legal filed and effective dates for AL/tariff sheets; utility corrects dates on AL and tariffs as necessary.
- Protest may be by letter, telegram, or e-mail within 20 days of Daily Calendar Notice of AL filing.
- Service of ALs to an interested party may be by e-mail if acceptable to the filer and interested party.
- Notice of filing published in Commission Daily Calendar (after PAL log-in).
- Public Inspection at CPUC offices and Company Offices; D.01-07-26 requires large utilities to post current tariff on Internet.

The Telecommunications Division's proposed process is clarified in Attachment A, which presents the current General Order 96-A advice letter and tariff sheet/contract filing and processing requirements and the Telecommunications Division's proposed modifications.

The Telecommunications Division has experimented for over a year with gradual relaxation of the strict General Order 96-A advice letter filing requirements:

- 1) Filers have been asked to submit only an original and one copy of any Advice Letter if they wish a stamped copy to returned when the filing is made effective.
- 2) Filers have only submitted one copy of any Advice Letter if they are satisfied with e-mail notice of the effectiveness of the filing.
- 3) A select group of filers have participated in CD-ROM Advice Letter filing of Advice Letters, tariff sheets, contracts, and supporting workpapers since March 2003 to test development modifications to the Commission's PAL database and server file storage.

The Telecommunications Division's experiments with CD-ROM Advice Letter filing have proved successful both for staff and the utilities involved, and it is reasonable

to extend the CD-ROM Advice Letter filing practice to all telecommunications carriers starting in 2004.

Resolution M-4809 recognizes that it is reasonable to accept submittal and service of Advice Letters and Tariff Sheets by electronic media. The Telecommunications Division's proposal to initiate CD-ROM filing and processing for Advice Letters and Tariff Sheets is reasonable and should be adopted immediately. The Telecommunications Division should implement these deviations to General Order 96-A for all telecommunications carriers filing Advice Letters by January 5, 2004.

Findings

- 1) Resolution M-4809 authorizes the Executive Director to issue rules for submitting Advice Letters, contracts, and work-papers by electronic media.
- 2) The Telecommunications Division has experimented with the proposed modifications in Attachment A since 2002.
- 3) The proposed modifications in Attachment A will result in reduced document storage and processing costs and effort.
- 4) The Advice Letter, tariff sheet, and contract filing and processing changes proposed by the Telecommunications Division in Attachment A are reasonable and should be adopted immediately.
- 5) The Telecommunications Division should implement the Advice Letter, tariff sheet, and contract filing and processing changes in Attachment A by January 5, 2004.

THEREFORE, IT IS ORDERED that:

- 1) The changes to General Order 96-A Advice Letter, tariff sheet, and contract filing and processing requirements proposed by the Telecommunications Division in Attachment A are adopted immediately.
- 2) The Telecommunications shall implement the General Order 96-A Advice Letter, tariff sheet, and contract filing and processing changes in Attachment A for all telecommunications carriers by January 5, 2004.

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This Resolution is effective today.

I hereby certify that this Resolution was adopted by Executive Action Resolution on December 5, 2003.

/s/ WESLEY M. FRANKLIN for

WILLIAM AHERN
Executive Director

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Attachment A

Executive Director Authorized Deviations to General Order 96-A for
 Telecommunications Carriers Pursuant to Resolution M-4809, June 19, 2003

GO 96-A Section	Subject	Current Requirement	New or modified Requirement
II. C.1(c)	Date Filed, Effective Date, and Resolution No.	Each term to be followed by a blank space to be filled in by or as directed by the Commission.	Utility may propose filed and effective dates, and will correct after Commission supplies an AL status certificate.
III. B.	Number of Copies	Each submission of advice letter and tariff sheets shall be in quadruplicate. One copy will be returned to the utility.	Utility shall submit AL and tariff sheets (including any supporting work-papers) on CD-ROM in a manner prescribed by the Telecommunications Division; AL status certificate will be returned to the utility.
III. G.	Notice	At the time of making a tariff filing, utility shall furnish a copy to interested parties.	Same; copies may be also be furnished by e-mail if acceptable to the utility and the interested party.
III. H.	Protest	Protest must be made by letter or telegram and received not later than 20 days after the date of filing.	Protest may be made by letter, telegram, or e-mail, not later than 20 days after notice of the filing appears in the Commission's Daily Calendar.

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III. K	Withdrawal	The Commission will return one copy of any tariff sheets withdrawn by the utility to the utility with a letter approving the withdrawal.	The Commission will return an AL status certificate to utility indicating the status of the withdrawal request.
V. C	Return of Copy of Tariff to Utility	One copy of the tariff sheets bearing the "Filed" and "Effective" dates will be returned to the utility and will establish the utility's official file cop of such sheets having been filed with the Commission.	The Commission will return an AL status certificate to the utility which will establish the utility's official record of the AL having been filed with the Commission.
VII.	Tariff Sheet Rejection Procedure	Tariff sheets that are rejected by the Commission are stamped "Rejected" and returned to utility.	The Commission will return an AL status certificate to the utility indicating the status of a rejected AL.
VIII.	Public Inspection of tariff sheets	Each utility shall maintain, open for public inspection, a copy of its complete tariff schedules and ALs filed with the Commission.	Same; each utility shall also maintain, open for public inspection, a copy of its AL status certificate for each AL filed with the Commission.
X.A.	Contracts	Four copies of each AL and contract or agreement shall be furnished	Utility shall submit AL and contract or agreement (including any supporting work-papers) on CD-ROM in a manner prescribed by the Telecommunications Division; AL status certificate will be returned to the utility.