

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

Order Instituting Rulemaking on the  
Commission's Own Motion to Establish  
Consumer Rights and Consumer Protection Rules  
Applicable to All Telecommunications Utilities.

Rulemaking 00-02-004  
(Filed February 3, 2000)

**ASSIGNED COMMISSIONER'S RULING INVITING COMMENTS  
ON A TELECOMMUNICATIONS CONSUMER EDUCATION PROGRAM**

This ruling invites all respondents and interested parties in this rulemaking, and anyone else who may wish to do so, to submit comments and suggestions for a telecommunications consumer education program. We are particularly interested in receiving suggestions for what such a program might include, how it might be carried out, and how it could be funded. Comments are due not later than 30 days from today, and replies to comments 15 days thereafter.

The Commission began this rulemaking proceeding last year by seeking comments on a set of proposed rights and rules for protecting consumers in today's competitive telecommunications services marketplace. In January 2001, I issued rulings seeking stakeholder input on two additional sets of rules: those

governing non-communications related charges in telephone bills,<sup>1</sup> and those governing slamming complaints. Our staff has since been working on refinements to reflect the many excellent suggestions parties have made for all three sets of rules. I anticipate presenting them in a new telecommunications consumer protection general order which I will soon propose for the Commission's adoption.

In the rulemaking order, the Commission noted that consumer protection calls for more than simply establishing rules of conduct for carriers to follow. It requires consumers be knowledgeable of their rights and what recourse they have when their rights are violated. In fact, the order specifically sought input as to "what alternative approaches to telecommunications consumer protection . . . the Commission [might] consider beyond those recommended in the staff report." Many stakeholders, both consumer-oriented groups and carriers, responded by suggesting in their comments that the Commission initiate an education program to accompany the new rules.

As the new general order nears completion, there are good reasons for the Commission to consider a telecommunications consumer education program.

First, our experience at last year's public participation hearings and the large volume of mail we received in response to public notices demonstrated the frustration many consumers feel in dealing with carriers. For low income customers and those whose preferred language is not English, the problem is particularly acute, a view supported in the comments we received from organizations which represent them.

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<sup>1</sup> The Commission issued its interim rules for non-communications related charges in telephone bills in Decision 01-07-030.

Second, defining consumers' rights and rules to enforce those rights is a new concept in the context of telecommunications consumer protection. Rights and rules can only be fully effective when consumers know about them, the protections they offer, and what recourse and remedies are available. That will not happen without a special effort on the Commission's part.

Also, the new rights and rules will apply across all carrier types: local exchange, wireless and long distance carriers. The consumer's relationship with local telephone companies has been defined through a century of experience. But that relationship is changing as local telephone service providers increasingly rely on selling optional services to enhance profits. Dealing with wireless and long distance carriers is a more recent and less-understood matter, made all the more challenging by the sometimes-bewildering variety and complexity of rate plans most wireless and long distance providers offer. Education is key here as well.

The Legislature has expressed its intent in § 2896(d) that carriers provide, among other things, "information concerning the regulatory process and how customers can participate in that process, including the process of resolving complaints." Further, through § 2897 it directed the Commission to apply those § 2896 policies to all providers of telecommunications services in California and invited the Commission to supplement them as necessary. Educating telecommunications consumers about their Commission-enforced rights and rules certainly fits within the framework of §§ 2896 and 2897.

We would like those who comment to present as full a range of options as possible. We are interested in all aspects: What would an effective consumer education program look like and what should it cover? Who should carry it out, and over what time frame? How should it be funded? What practical problems

might the Commission and participants face, and how could they be overcome? What legal considerations should the Commission be aware of?

All respondents and interested parties in this Rulemaking, and anyone else who may wish to do so, are invited to submit comments not later than 30 days from today, and replies to comments 15 days thereafter. To ensure all potentially affected parties have an opportunity to make their views known, this ruling will be served to the same broad distribution list as the original Order Instituting Rulemaking (R.) 00-02-004 order: all Commission-regulated telecommunications utilities, the service list in this proceeding, and the service lists for the following proceedings: R.95-04-043/Investigation (I.) 95-04-044, R.94-02-003/I.94-02-004, R.97-08-001/I.97-08-002, R.98-07-038, and I.93-12-007. Comments and replies to comments are to be filed with the Commission's Docket Office and served on all parties on the R.00-02-004 service list<sup>2</sup> as of the filing date, observing the requirements of the Commission's Rules of Practice and Procedure, Rules 14.5 and 14.6. Those who have not earlier done so should note that they may become parties and have themselves included prospectively on the proceeding service list by making a written request to the Commission's Process Office following the procedures outlined in the body of R.00-02-004.

Therefore, **IT IS RULED** that all respondents and interested parties in this Rulemaking, and anyone else who may wish to do so, are invited to submit comments and suggestions for a telecommunications consumer education program to implement the Commission's forthcoming decision and new

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<sup>2</sup> The service list is available on the Commission's World Wide Web site on the Internet (linked from [www.cpuc.ca.gov](http://www.cpuc.ca.gov)), or by calling the Commission's Process Office at (415) 703-2823.





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at least three working days in advance of the event.