BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking
Regarding Emergency Disaster Relief Program.  R. 18-03-011
(March 22, 2018)

OPENING COMMENTS

OF

CONSOLIDATED COMMUNICATIONS OF CALIFORNIA COMPANY
(U 1015 C)

ON

ASSIGNED COMMISSIONER’S RULING AND PROPOSAL

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I
INTRODUCTION

Consolidated Communications of California Company (U 1015 C) (hereinafter “Consolidated”) hereby submits its comments on the Assigned Commissioner’s Ruling and Proposal For Maintaining Resilient and Dependable Communications Networks, issued March 6, 2020 (the "Ruling"). This Ruling requests comments in response to a list of enumerated questions concerning the resiliency and dependability of communications networks during wildfires or electric utility-initiated public safety power shutoffs (“PSPS”) in the context of a Proposal included in the Ruling on these issues.

II
RESPONSES TO TOPICS REGARDING COMMUNICATIONS NETWORK RESILIENCY DURING CATASTROPHIC EVENTS

Consolidated responds to each of the topics identified in the ruling as follows.

1. Applicability of Requirements: The Proposal states that the requirements shall be applicable to all companies owning, operating, or otherwise responsible for infrastructure that provides or otherwise carries 9-1-1, voice, text messages, or data.
   (a) Is this definition of applicability reasonably tailored to ensure regulatory compliance over all communications service providers? Why or why not?
   (b) Which types of providers, if any, should be excluded from these requirements because their services are not essential to reliable access to 9-1-1 and the distribution of essential emergency information?

2. Alternatively, D.19-08-025 defined communications service providers into the following categories: (1) facilities-based and non-facilities-based landline providers include 9-1-1/E9-1-1 providers, LifeLine providers, providers of Voice Over Internet Protocol [VoIP], Carriers of Last Resort [COLRs], and other landline providers that do not fall into the aforementioned groups; (2) wireless providers include those that provide access to E9-1-1 and/or LifeLine services; (2A) facilities-based wireless providers; and (2B) non-facilities-based wireless providers, include resellers and mobile virtual network operators [MVNOs].
   (a) For purposes of Phase II, should the Commission apply the definition from D.19-08-025, instead of the proposed definition in the Proposal?

Consolidated supports the proposed definition identified in question 1 above, but notes that waivers to particular requirements, as identified in question 5, may be warranted in certain circumstances. Given the varied size, economic resources, and service territories of the different communications companies, it may be unreasonable or
cost prohibitive to apply specific requirements to all providers in every single circumstance.

3. **Definition of Resiliency:** The Proposal defines resiliency as the ability to recover from or adjust easily to adversity or change and is achieved by Providers through utilizing a variety of strategies. The proposal lists an array of strategies and provides definitions for each one.
   (a) Please provide comments on the definition of resiliency in the context of communications service resiliency strategies and their definitions.
   (b) Please comment on any recommendations or modifications that should be considered to the proposed resiliency definition and the resiliency strategies. Please provide a complete discussion for any proposed recommendations or modifications.

Consolidated agrees with the proposed definition of resiliency and continues to invest in its infrastructure and network hardening, as described in more detail below. Consolidated concurs that utilizing multiple strategies is the best way to maintain network reliability during emergency situations.

4. **Backup Power Requirement:** The Proposal recommends that all Providers have: on-site emergency backup power to support all essential communications equipment including but not limited to, switching centers, central offices, wire centers, head ends, network nodes, field cabinets, remote terminals, and cellular sites (or their functional equivalents) necessary to maintain service for a minimum of 72 hours immediately following a power outage. Service must be sufficient to maintain access for all customers to 9-1-1 service, to receive emergency notifications, and to access web browsing for emergency notices.
   (a) Please provide comments on the proposed backup power requirement.
   (b) How should “outage” be defined?
   (c) Should the length of the 72-hour backup power requirement be shorter, longer or indefinite? Please provide an analysis to support your recommendation.
   (d) What other backup power requirements or components should the Commission consider? Please provide an analysis to support your discussion of any additional requirements or components.

Consolidated agrees that backup power is a key element of network resiliency but finds the suggested 72-hour requirement for all equipment throughout the network not only unreasonable but also technologically unfeasible at this point. Further, neither Consolidated nor any carrier can reasonably ensure “all customers” have access to 9-1-1
service at all times after a catastrophic event. For example, a wildfire of the intensity and severity of the Camp Fire would damage an area’s communications networks so extensively that service could not be ensured no matter what currently known resiliency strategies are employed. Nevertheless, Consolidated takes resiliency and backup power seriously. All of Consolidated’s sites have backup power equipment and battery backup equipment is kept fully charged by commercial power before outages occur. In addition, all of Consolidated’s central office and remote buildings have fixed generators in addition to commercial power, with fuel tanks that range in capacity from several hundred gallons to several thousand gallons. Sites that do not have fixed generators have portable generators with fuel tanks can be re-filled while the generators are running to guarantee functionality during extended power outages. Consolidated has a fleet of trucks allowing it to transport the fuel to the generators as needed so long as it is safe to do so.

5. Backup Power Plans: The Proposal recommends that Providers file a Backup Power Plan with the Commission six months from the effective date of an adopted Commission decision with an array of requirements that illustrate the Provider’s preparedness to ensure 9-1-1 access, ability to receive emergency notifications, and access web browsing for 100 percent of customers in the event of a commercial power outage. Please provide comments and analysis on this compliance requirement.

(a) Clean Energy Generation: The Proposal directs Providers to utilize clean energy backup power options (e.g., solar, etc.) as reasonable before using diesel generators to meet the backup power requirement, among other provisions. Please provide comments and analysis on this issue, and specifically address the following:
   i. How should “clean energy backup” be defined?
   ii. Provide specific information on barriers to procuring specific types of clean energy backup power (e.g., cost, permitting, etc.).

(b) Waivers: The Proposal directs Providers to submit waivers if they qualify for any of the exemptions enumerated in the Proposal. Please provide comments and analysis on this issue.

(c) Critical Facility Location Information Sharing: The Proposal directs Providers to share critical facility location information to emergency responders to enhance the ability to defend vital facilities against wildfire damage and ensure facility redundancy. Please provide comments and analysis on this issue.

(d) Critical Infrastructure Resiliency, Hardening and Location Information Sharing: The Proposal directs Providers to annually submit geographic information system (GIS) information with the specific location of network facilities and backhaul routes to the Commission. The Proposal directs Commission staff to analyze and
process this information, so it is accessible to state and local emergency responders, subject to confidentiality requirements. Please provide comments and analysis on these proposed directives.

Consolidated finds it reasonable for providers to submit their backup power plans if ordered to do so by the Commission. Consolidated already proactively works with state and local authorities as part of the planning and implementation of various emergency response notification processes. In this regard, Consolidated supports both “critical facility location information sharing” and “critical infrastructure resiliency, hardening and location information sharing.” Consolidated also endorses the availability of waivers, which may be necessary given the vast diversity among communications providers and service territories prohibits having a one-answer solution for everything.

Consolidated recognizes the importance of clean energy generation but believes a quota or fixed requirement is premature. Given the limited amount of time and resources until the next fire season, improving network resiliency and hardening at-risk areas should be prioritized over identifying, purchasing, and installing clean energy backup power options that may or may not provide more reliable backup power solutions. Backup power options, by their very nature, run infrequently and are therefore unlikely to be a significant contributor to California’s carbon emissions. If the Commission decides to move forward with a mandate on clean energy backup power options, it should not include a “rip and replace” requirement that affects existing backup power equipment.

6. Emergency Operations Plans: The Proposal directs Providers to file emergency operations plans with the Commission, discussing how their operations are prepared to respond to emergencies. Please provide comments and analysis on this issue.
   (a) Additionally, the Proposal itemizes required content that the Providers must submit to the Commission. Please provide comments and analysis on this issue.
   (b) Should the proposed rule for Emergency Operations Plans include any other information that the Proposal does not address? Please explain why any additional information is legitimate and necessary for adoption.
Consolidated agrees that it is reasonable for providers to file emergency operations plans with the Commission and that these plans should include basic elements such as:
(1) emergency contact information; (2) emergency preparedness exercises; (3) public communication plans; and (4) communication with state and local emergency responders. Consolidated has already created a companywide emergency operations plan and regularly works with state and local government agencies to plan and prepare for disaster responsiveness. Many of these collaborative processes are subject to on-going design and development in order to continuously improve upon them as requirements evolve. However, as mentioned above, Consolidated also believes a waiver process is necessary so that additional requirements can be evaluated as to specific providers on an item-by-item basis. For example, the proposed requirement identified in this question for each provider to “post on its website an outage map” depicting outages and expectorated restoration in real time may be reasonable for large providers but not feasible for smaller providers to implement.

7. Current Mitigation Efforts: in response to this ruling, all respondent communications service providers shall provide a discussion of what current mitigation efforts they are undertaking to ensure continuity of service in preparation and in advance of the upcoming 2020 wildfire and grid outage season. This should include, but is not limited to, the following topics:
(a) Number of additional generators acquired (both fixed and mobile);
(b) Number of additional temporary facilities acquired (e.g., COWs, COLTs, etc.);
(c) Additional network redundancy built into network (e.g., logical and physical);
(d) Provide details on plans in the near, intermediate and long term to further harden facilities;
(e) Identify barriers to building resiliency into your networks;
(f) Identify any other investments or cooperative agreements that will be made to build in more backup generation or minimize the need for backup generation; and
(g) Identify if communications service outages as a result of future public safety power shutoff events are expected. Identify specific locations and reasons where network outages are expected.

To the extent practicable, communication service providers are directed to submit as much of this information as possible without assertion of confidentiality. Consolidated will respond to this question with as much detail as possible in the limited time provided for response to this ruling without revealing confidential
infrastructure information in light of the Commission’s temporary suspension of all confidential filings due to the COVID-19 pandemic.1

Consolidated is extremely dedicated to the safety of its customers and is continually improving the resiliency of its network. Indeed, approximately 66% of Consolidated’s network is located underground, significantly reducing the potential for damage to the network during a wildfire. Consolidated continues to evaluate the transition of its remaining overhead facilities underground and locates its network underground for new greenfield construction. As for the remaining overhead facilities, Consolidated maintains its own inspection and trimming program to maintain the lines free from vegetation. Consolidated has also hardened the connection between legacy copper and fiber facilities in order to enhance resiliency and customer access to 9-1-1 during emergency situations. Also, where possible, Consolidated has buried the short-span copper drops between the customer’s premises and its remote terminals, which are connected by fiber to a central office. From the central office to the selective router, Consolidated utilizes diverse fiber routes to direct the call to a public service answering point.

As described above, all of Consolidated’s sites have backup power systems and its central offices are served by commercial power and fixed generators. Locations that do not have fixed generators employ battery backup power systems and portable generators. Consolidated maintains a fleet of trucks to continuously transport fuel to fuel tanks that can be refilled while the generators are running when it is safe to do so.

Consolidated also employs diverse fiber routes which provide redundancy and the ability to reroute when necessary. Consolidated’s E-911 trunks are geographically diverse as are Consolidated’s toll trunks and data backbone facilities. Consolidated also maintains a 24 hour a day, 7 day a week Network Operation Center to facilitate incoming

1 https://www.cpuc.ca.gov/COVID19practitioneralert/
repair communications such that Consolidated can immediately dispatch appropriate repair crews to impacted areas.

Consolidated assists wireless providers with the facilities needed to provide backhaul facilities to temporary cell sites and assists emergency responders with additional voice and data services during disaster situations. Additionally, Consolidated coordinates with electric utilities during power outages, including during disaster situations, to arrange for additional backup power if the outage will be of long duration. Finally, Consolidated provides information about emergency services and processes, in directory form, to its service area. Consolidated utilizes diverse and redundant measures to reach customers, including through the use of press releases, public service announcement, websites, outbound call messaging, email communications, direct-mail, and partnerships with emergency crews and other utilities.

8. Other Topics for Commission Consideration: Parties may identify issues in addition to the proposed rules and discussion in the Proposal.

Consolidated does not have any additional issues to identify at this time.

III CONCLUSION

As can be clearly seen from the responses above, Consolidated is deeply committed, not just to providing a reliable communications network, but to continually improving the resiliency of its networks to provide for its customers during emergency situations. Consolidated looks forward to working with the Commission to continue to improve the safety and reliability of California’s communications network.
Dated this 3rd day of April 2020, at San Francisco, California.

Respectfully submitted,

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