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R2304006

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

Order Instituting Rulemaking Proceeding to Consider Changes to Requirements on Video Franchisees Under the Digital Infrastructure and Video Competition Act, and Revisions to General Order 169.

Rulemaking 23-04-006

**ADMINISTRATIVE LAW JUDGE’S RULING SETTING PUBLIC PARTICIPATION HEARINGS AND RELATED INSTRUCTIONS**

This ruling notices four in-person public participation hearings (PPHs) and two remote/virtual PPHs in this Order Instituting Rulemaking (OIR) proceeding. It also directs the video service franchise holders to take certain actions to provide notice to their customers and facilitate public participation at these hearings.

**1. Background**

The main purpose of the PPHs is to provide an opportunity for the public to communicate directly with the California Public Utilities Commission (Commission) regarding possible changes to the Commission’s licensing and oversight of video franchisees under the Digital Infrastructure and Video Competition Act of 2006 (DIVCA), as recently updated by Senate Bill (SB) 28 (Stats. 2021, Chap. 673). Among other items, SB 28 directs the Commission to adopt video and customer service requirements for a holder of a state video franchise and to adjudicate customer complaints regarding these services. The Commission may also consider potential ways to modernize and make the implementation of DIVCA more efficient and effective.

The PPHs will be led by the assigned Commissioner and assigned Administrative Law Judge (ALJ). Other Commissioners may also attend. The Commission’s court reporters will record the statements made during the hearing and post the transcript on the Commission’s website at the Docket Card for this proceeding.

Details regarding how to participate in the in-person and remote PPHs are provided below and further information about the application and other ways to stay informed is available at <https://www.cpuc.ca.gov/pph>.<sup>1</sup> The video service franchise holders are directed to take certain actions to further notice and facilitate public participation at these hearings.

**2. In-Person Public Participation Hearings**

The in-person PPHs will be held as follows:

Date	Time	Meeting & Location
August 14, 2024	1:00 p.m. to 3:00 p.m.	Sacramento County Board of Supervisors 700 H Street, Suite 1450 Sacramento, CA 95814
August 14, 2024	5:00 p.m. to 7:00 p.m.	Sacramento County Board of Supervisors 700 H Street, Suite 1450 Sacramento, CA 95814
September 5, 2024	1:00 p.m. to 3:00 p.m.	Monterey Park City Council Chambers 320 W Newmark Ave Monterey Park, CA 91754
September 5, 2024	5:00 p.m. to 7:00 p.m.	Monterey Park City Council Chambers 320 W Newmark Ave Monterey Park, CA 91754

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<sup>1</sup> Websites and links provided in this Ruling are current as of this writing.

Persons seeking to make a public comment will be directed to sign up at the Public Advisor’s Office’s table at the entrance to the hearing.

**3. Remote Public Participation Hearings**

The remote/virtual PPHs will be held as follows:

Date	Time	Meeting Access Information
September 19, 2024	1:00 p.m. to 3:00 p.m.	<b>Phone Number 1-800-857-1917</b>
		<b>Passcode: 6032788#</b>
<b>Webcast: <a href="https://Adminmonitor.com/ca/cpuc/">https://Adminmonitor.com/ca/cpuc/</a></b>		
September 19, 2024	5:00 p.m. to 7:00 p.m.	<b>Phone Number 1-800-857-1917</b>
		<b>Passcode: 6032788#</b>
<b>Webcast: <a href="https://Adminmonitor.com/ca/cpuc/">https://Adminmonitor.com/ca/cpuc/</a></b>		

Details regarding how to participate in the remote PPHs are provided in the table above. The remote PPHs may be observed using the live video broadcast AdminMonitor webcast link or heard on the toll-free telephone number.<sup>2</sup> The AdminMonitor broadcast has English or Spanish captions that can be accessed by clicking the green button below the video screen.

To provide public comment, participants should use the toll-free telephone number and participant code noted above. Participants who wish to speak must then press “star one” and record their first and last name when prompted. This will alert the operator who will then queue the speakers one-at-a-time and announce each speaker’s name at the allotted time. When it is time for public comment, the ALJ will make an announcement through the telephone line for those who wish to speak.

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<sup>2</sup> The video broadcast will be recorded and archived for future viewing.

Public officials wishing to speak at the PPHs should provide the telephone operator with their name, title, and governmental entity. Representatives of parties already involved in this proceeding, absent compelling reasons otherwise, will not be given the opportunity to comment at the PPHs since the purpose of the PPHs is to hear from members of the public and parties already have the opportunity to be heard through the formal hearing process. Depending on the number of participants waiting to comment, the ALJ may limit an individual's comment time.

Updates and further information regarding the PPHs are available at [cpuc.ca.gov/pph](http://cpuc.ca.gov/pph). Documents filed in this proceeding are available and the court reporters' transcripts of statements made during the PPHs will be made available through the Docket Card on the Commission's website at [apps.cpuc.ca.gov/p/R2304006](http://apps.cpuc.ca.gov/p/R2304006). Written public comments may be provided at any time during this proceeding through the Add Public Comment tab on the Commission's website at [apps.cpuc.ca.gov/c/R2304006](http://apps.cpuc.ca.gov/c/R2304006).

#### **4. Instructions to Certain Providers**

This ruling directs the following video service franchise holders to assist in the outreach and promotion of these PPHs:

- Astound Broadband, LLC
- Calaveras Cablevision
- Charter Communications
- Comcast
- Cox Communications
- DIRECTV
- Frontier California, Inc.
- Horizon Cable TV, Inc.
- Hotwire

- Inyo Networks
- Lone Pine Communications
- Mediacom
- Northland
- Optimum
- Orion Broadband
- RaceTV, LLC
- Route 66 Broadband
- Sierra Nevada Communications
- unwired Broadband, LLC
- Velocity Communications, Inc.
- Volcano Vision, Inc.
- yondoo Catalina
- Zito Media

The companies listed above are directed to:

- Include notice of the PPHs as a written insert with a mailed bill to customers that currently receive bills via the United States Postal Service. The notice shall clearly state the dates and times of the PPHs and include other information contained in Attachment A, including a link to the streaming video regarding this proceeding and customer participation opportunities: “[Your Opinion Will Help Shape the Future of Video Franchising \(2024\)](#)”. The companies listed above shall provide a draft notice to the Public Advisor’s Office within 10 days of the issuance of this ruling, and the Public Advisor’s Office may modify the draft notice;
- Send an e-mail message to all customers that elect to receive their bills via e-mail. The subject line of the e-mail must clearly notify the recipient that PPHs will be held in this proceeding with the text of the email including the information contained in Attachment A, including a link to the streaming video regarding this

proceeding and customer participation opportunities: [“Your Opinion Will Help Shape the Future of Video Franchising \(2024\)”](#). The companies listed above shall provide a draft notice to the Public Advisor’s Office within 10 days of the issuance of this ruling, and the Public Advisor’s Office may modify the draft notice;

- Send a text message to all customers that elect to receive their bills via text. The text message must include the information in Attachment B. The companies listed above shall provide a draft notice to the Public Advisor’s Office within 10 days of the issuance of this ruling, and the Public Advisor’s Office may modify the draft notice;
- Publicize the PPHs on all social media platforms used by the companies listed above;
- Publicize the notice of the PPHs with one or more local newspapers of general circulation in their service areas for seven consecutive days prior to and including the date of the PPH. The companies listed above shall provide a draft notice to the Public Advisor’s Office within 10 days of the issuance of this ruling, and the Public Advisor’s Office may modify the draft notice; and
- Post notice of the PPHs on the companies’ website in a prominent location so that customers can easily access the notice.

Each form of notice described above shall state that the PPHs are both in-person and remote.

No later than 10 days after publication of each of the notice forms described above in this Ruling, each company listed above shall serve a letter on the Public Advisor’s Office and assigned Administrative Law Judge verifying that it has complied with all directives set forth above. The verification shall state when the notice was, or will be completed, and shall include as an attachment a copy of the notice for each communication

method. For each communication method described above, the letter shall state the dates the company sent the notice to customers, the approximate number of customers notified, and the geographic location covered.

**IT IS RULED** that (1) PPHs shall be held as stated in the Ruling; (2) video service franchise holders shall provide notice as stated in the Ruling; (3) within 10 days of the date of this ruling each video service franchisee shall provide drafts of its various notices to the Public Advisor's Office, and shall incorporate edits at the direction of the Public Advisor's Office; (4) video service franchise holders shall serve a letter no later than 10 days after publication of each of the notice forms described in this Ruling on the Administrative Law Judge and Public Advisor's Office as stated in the Ruling, and (5) parties shall not, absent compelling reason otherwise, be provided with an opportunity to comment at the PPHs.

Dated May 31, 2024, at San Francisco, California.

/s/ MARGERY MELVIN

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Margery Melvin  
Administrative Law Judge