



California Public
Utilities Commission



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General Order 133-D

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Black fonts represent original text from General Order 133-D

Red fonts represent proposed additional text

Fonts highlighted in gray represent text under further consideration

General Order 133-D
Public Utilities Commission of the State of California
Rules Governing Telecommunications Services

Following is a list of decisions which authorized changes to General Order 133.

General Order 133	Decision No. 80082 (C.9535)	Adopted May 11, 1972 Effective 20 days later
General Order 133-B	Decision No. 92-05-056 (A.91-07-41)	Adopted May 20, 1992 Effective 30 days later
General Order 133-C	Decision No. 09-07-019 (R.02-12-004)	Adopted July 9, 2009 Effective July 9, 2009
General Order 133-D	Decision No. 16-08-021 (R.11-12-001)	Adopted Aug. 18, 2016 Effective Aug. 18, 2016 Except Section 9 on fines, which is effective Jan. 1, 2017
General Order 133-D Corrected Version	Decision No. 16-10-019	Corrections issued

1. GENERAL

1.1 Intent.

- a. Purpose. The purpose of these rules is to establish uniform minimum standards of service to be observed in the operation of public utility telephone corporations.
- b. Limits of Order. These rules do not cover the subjects in the filed tariff rules of telephone utilities.
- c. Absence of Civil Liability. The establishment of these rules shall not impose upon utilities, and they shall not be subject to, any civil liability for damages, which liability would not exist at law if these rules had not been adopted.
- d. These rules may be revised in scope on the basis of experience gained in their application and as changes in technology, the telecommunications market, or technology may require.

1.2 Applicability. These rules are applicable to all public utility telephone corporations providing service within the State of California, except as otherwise noted.

1.3 Definitions.

- a. **Access Line:** A wire or wireless connection that provides a real time two way voice telecommunications service or VoIP service to or from any device utilized by an end user, regardless of technology, which is associated with a 10-digit NPA-NXX number or other unique identifier and a service address or Place of Primary Use in California pursuant to Decision 22-10-021.
- b. **Areas of Affordability Concerns (AAC):** The Commission adopted this geographical designation in Decision 22-08-023. The AACs, presented at the census tract level, are areas where the Affordability Ratio (AR) metric for representative low-income households is disproportionately higher than the rest of the state. The higher the AR metric, the less affordable it is for households to pay for essential utility services. The AACs can be imputed for a specific essential utility service.
- c. **CalEnviroScreen:** A mapping tool developed by the California Office of Environmental Health Hazard Assessment (OEHHA) that uses environmental, health, and socioeconomic information to produce scores for every census tract in California. The scores are mapped so that different census tracts can be compared. A census tract with a high score is one that experiences a much higher pollution burden than census tracts with low scores. The OEHHA updates CalEnviroScreen periodically to reflect updated demographic information. The OEHHA released its latest version, CalEnviroScreen 4.0, in October 2021.
- d. **Census Tracts:** Per the United States Census Bureau, census tracts are defined as small, relatively permanent geographic entities within counties (or the statistical equivalents of counties) delineated by a committee of local data users. Generally, census tracts have between 2,500 and 8,000 residents and boundaries that follow visible features.
- e. **CLEC:** A Competitive Local Exchange Carrier (CLEC), per Pub. Util. Code §§ 234 and 1001, and Decision 95-07-054, provides local telephone services in the service territories formerly reserved for Incumbent Local Exchange Carriers (ILECs), in competition with ILECs, and must obtain a Certificate of Public Convenience and Necessity (CPCN) from the Commission.
- f. **COLR:** A Carrier of Last Resort (COLR) is required to serve upon request all customers within its designated service areas, **including providing basic telephone service as defined by Decision 12-12-038**. Pursuant to Decision 96-10-066, a carrier seeking to be a COLR needs to file a notice of intent with the Commission in order to have access to high cost fund subsidies. Once designated a COLR, the carrier must get the Commission's approval to opt out of its obligation to serve.
- g. **Commission:** **The** Public Utilities Commission of the State of California.

- h. Community Isolation Outage: Pursuant to California Code of Regulations, Title 19. Public Safety, Division 2. California Governor's Office of Emergency Services, Chapter 1.5 Community Isolation Outages, § 2480.2. Community Isolation Outage Reporting Thresholds, a community isolation outage limits a telecommunications service provider's end users' ability to make 911 calls or receive emergency notifications. The outage duration is measured in hours and minutes from the time when the outage occurs to the time when service is restored.
- i. Customer: A customer is a separate account number for voice service, or a bundle of **communications** services including voice, and includes small business (5 lines or less) and residential customers.
- j. Disadvantaged Communities (DAC): Disadvantaged communities refers to the areas throughout California which most suffer from a combination of economic, health, and environmental burdens. These burdens include poverty, high unemployment, air and water pollution, presence of hazardous wastes as well as high incidence of asthma and heart disease. One way that the state identifies these areas is by collecting and analyzing information from communities all over the state. The Commission adopted the California Environmental Protection Agency's (Cal EPA) updated geographical designation of DACs in Decision 22-08-023 presented at the census tract level, that include: (i) census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0; (ii) census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden score; (iii) census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0, and (iv) lands under the control of federally recognized tribes.
- k. Environmental and Social Justice (ESJ) communities: Predominantly communities of color or low-income communities that are underrepresented in the policy-setting and decision-making process. They include (i) disadvantaged communities, as defined as census tracts that score in the top 25% of CalEnviroScreen, (ii) all tribal lands, (iii) low-income households, and (iv) low-income census tracts.
- l. Facilities-based Carriers: A telephone corporation that owns or controls facilities used to provide communications **services** for compensation, including the line to the end-user's location. A local exchange carrier providing service solely by resale of the ILEC's local exchange services is not a facilities-based carrier.
- m. GRC ILECs: A General Rate Case Incumbent Local Exchange Carrier (GRC ILECs) is **an ILEC whose rates are regulated by the Commission per General Order 96-B. A GRC ILEC is** designated a COLR in its franchise territories per D.96-10-066 **and** D.14-01-036.
- n. Installation of Telecommunications Service: The process of setting up and

configuring telecommunications equipment, systems, and infrastructure to enable the transmission of voice, data, and multimedia signals over communications networks. This installation encompasses a wide range of activities, including the deployment of hardware, cabling, software, and service quality checks to establish a functional telecommunications network.

- o. IEC: An Interexchange Carrier (IEC) is a wireline telephone company that provides interstate (long distance) communications services within the United States.
- p. ILEC: An Incumbent Local Exchange Carrier (ILEC) is a certificated local telephone company that used to be the exclusive local telephone service provider in a franchise territory established before the Telecommunications Act of 1996. See Pub. Util. Code §§ 234 and 1001.
- q. Interconnected Voice over Internet Protocol (VoIP) Provider: Pursuant to 47 C.F.R. § 9.3, an interconnected VoIP provider is a company which provides a VoIP service that uses Internet Protocol (IP) or a successor protocol to (i) enable real-time, two-way voice communications; (ii) requires a broadband connection from the user's location; (iii) requires IP-compatible customer premises equipment; and (iv) permits users generally to receive calls that originate on the public switched telephone network (PSTN) and to terminate a call to the PTSN.
- r. Local Exchange: A telecommunications system providing service within a specified area within which communications are considered exchange messages except for those messages between toll points per D.96-10-066.
- s. Plain Old Telephone Service: Plain Old Telephone Service (POTS) is traditional analog voice transmission phone system implemented over physical copper lines.
- t. Small Business Customer: small business customers are those that purchase five or fewer lines.
- u. Telephone Corporation: Pursuant to Pub. Util. Code § 234, a telephone corporation includes every corporation or person owning, controlling, operating, or managing any telephone line for compensation within this state.
- v. Telephone Line: Pursuant to Pub. Util. Code § 233, a telephone line includes all conduits, ducts, poles, wires, cables, instruments, and appliances, and all other real estate, fixtures, and personal property owned, controlled, operated, or managed in connection with or to facilitate communication by telephone, whether such communication is had with or without the use of transmission wires.
- w. URF Carrier: A Uniform Regulatory Framework (URF) carrier is a wireline carrier that has full pricing flexibility over all or substantially all of its rates and charges. This includes any ILEC that is regulated through the Commission's URF, as established in Decision 06-08-030, and includes

CLECs and IECs.

- x. **URF CLECs: Competitive local exchange carriers (CLECs) operating in territories formerly reserved for the URF ILECs and regulated under the URF.**
- y. **URF ILECs:** URF ILECs are distinguished from GRC ILECs in that they are currently granted pricing flexibility through D.06-08-030.
- z. **Wireless Carrier:** A **wireless carrier (also known as** a Commercial Mobile Radio Service provider) is a carrier or licensee whose wireless network is connected to the public switched telephone network (PSTN). Per Commission decision D.94-10-031, wireless carriers are required to file a **Wireless Identification Registration** with the Director of the **Commission's Communications Division (CD).**

1.4 Information available to the Public.

The public utility telephone corporation shall maintain, available for public inspection at its main office in California, copies of all reports submitted to this Commission in compliance with these rules. These copies shall be made available for two years. The public utility telephone corporation shall identify the location and telephone number of its main office in California on its Internet website and shall provide information on how to contact it. A copy of these reports will also be maintained and be available for public inspection at the Commission's San Francisco and Los Angeles offices. Copies shall also be made available to interested parties for a nominal fee to cover the cost of processing and reproduction. The availability shall be limited to reports provided by the local serving company.

1.5 **Production** of Records.

All reports required by these rules shall be kept **for ten years after the last day of the calendar year** and made available to representatives, agents, or employees of the Commission upon reasonable notice.

1.6 Reports to the Commission.

The public utility telephone corporation shall furnish to the Commission, at such times and in such form as the Commission may require, the results or summaries of any measurements required by these rules. The public utility telephone corporation shall furnish the Commission with any information concerning the utility's facilities or operations which the Commission may request and need for determining quality of service.

1.7 Deviations from any of these Rules.

In cases where the application of any of the rules incorporated herein results in undue hardship or expense to the public utility telephone corporation, it may request specific relief by filing a formal application in accordance with the Commission's Rules of Practice and Procedure, except that where the relief requested is of minor importance or temporary in nature, the Commission may accept an application and showing of necessity by letter.

1.8 Revision of Rules.

Public utility telephone corporations subject to these rules and other interested parties may individually or collectively file with this Commission a petition for rulemaking pursuant to Pub. Util. Code § 1708.5 for the purpose of amending these rules. The petition shall conform to the requirements of Rule 6.3 of the Commission's Rules of Practice and Procedure.

2. **MINIMUM STANDARDS OF VOICE SERVICE MEASURES**

General. These rules establish minimum standards and uniform reporting levels for the installation, maintenance, and **customer service for communications services**. The service measures established **for voice services** are as follows:

- Installation Standard
- POTS Outage Repair Standard
- VoIP Outage Repair Standard
- Wireless Community Isolation Outage Repair Standard
- Customer Service Standard

2.1 **Installation Standard** – Applies to GRC ILECs and URF ILECs.

- a. Description. Installation Standard requires communications telephone corporations to 1) establish basic service within five business days of when a customer places an installation service order and 2) fulfill 100 percent of these service orders. This standard applies to residential and small business customers.
- b. Minimum Standard. Five business days.
- c. Exemption. Exclude declared state of emergency days by the Governor.
- d. Reporting Unit. Individual service order level.
- e. Reporting Frequency. Reports shall be compiled monthly and reported quarterly.
- f. Base Fine. For service orders that are not fulfilled within five business days, assess a base fine amount of \$5 per day for each additional day as an automatic customer credit.
- g. Environmental and Social Justice Consideration. For service orders in a DAC or Communications AAC that are not fulfilled within five business days, apply a base fine amount of \$10 per day for each additional day as an automatic customer credit.
- h. Noncompliance Severity Consideration. None.

2.2 **POTS Outage Repair Standard** – Applies to GRC ILECs, URF ILECs, and URF CLECs that provide POTS voice service.

- a. Description. POTS Outage Repair Standard requires telephone corporations to restore outage tickets within 24 hours. Outage tickets include both individual outages and community isolation outages. The outage duration is expressed in clock hours and minutes, between the time of reported loss of service and when service is restored. This standard

applies to residential and small business customer outage tickets.

- b. Minimum Standard. Restore outage tickets within 24 hours.
- c. Exemption. Exclude declared state of emergency days by the Governor.
- d. Reporting Unit. POTS Outage Repair Standard is measured at the individual access line level.
- e. Reporting Frequency. Reports shall be compiled monthly and reported quarterly.
- f. Base Fine. For outage tickets that are not repaired within 24 hours, assess a base fine amount of \$5 for each additional day as an automatic customer credit for each customer.
- g. Environmental and Social Justice Consideration. For outage tickets in a DAC or Communications AAC that are not repaired within 24 hours, apply a base fine amount of \$10 per day for each additional day as an automatic customer credit for each customer.
- h. Severity Consideration. Apply multipliers to increase fine amount for extended outages. Refer to table below for details.

POTS Outage Repair Standard				
Outage Duration	24 to 48 hours	Above 48 to 72 hours	Above 72 to 96 hours	Above 96 hours
Multiplier	1x	2x	3x	4x

2.3 VoIP Outage Repair Standard – Applies to URF ILECs, GRC ILECs, and URF CLECs that provide VoIP voice service.

- a. Description. VoIP Outage Repair Standard requires telephone corporations to restore outage tickets within 24 hours. Outage tickets include both individual outages and community isolation outages. The outage duration is measured in clock hours and minutes between the time of reported loss of service and when service is restored. This standard applies to residential and small business customers.
- b. Minimum Standard. Restore outage tickets within 24 hours.
- c. Exemption. Exclude declared state of emergency days by the Governor.
- d. Reporting Unit. VoIP Outage Repair Standard is measured at the individual access line level.
- e. Reporting Frequency. Reports shall be compiled monthly and reported quarterly.
- f. Base Fine. For outage tickets that are not repaired within 24 hours, assess a base fine amount of \$5 for each additional day as an automatic customer credit for each customer.
- g. Environmental and Social Justice Consideration. For outage tickets in a DAC or Communications AAC that are not repaired within 24 hours, apply

a base fine amount of \$10 per day for each additional day as an automatic customer credit for each customer.

- h. Noncompliance Severity Consideration. Apply multipliers to increase fine amount for extended outages. Refer to table below for details.

VoIP Outage Repair Standard				
Outage Duration	24 to 48 hours	Above 48 to 72 hours	Above 72 to 96 hours	Above 96 hours
Multiplier	1x	2x	3x	4x

2.4 Wireless Community Isolation Outage Repair Standard – Applies to telephone corporations that provide wireless voice service.

- a. Description. Wireless Community Isolation Outage Repair Standard requires telephone corporations to restore community isolation outage tickets within 24 hours. The outage duration is measured in clock hours and minutes between the time of reported loss of service and when service is restored. This standard applies to residential and small business customers.
- b. Minimum Standard. Restore outage tickets within 24 hours.
- c. Exemption. Exclude declared state of emergency days by the Governor.
- d. Reporting Unit. Wireless Community Isolation Outage Repair Standard is measured at the individual access line level.
- e. Reporting Frequency. Reports shall be compiled monthly and reported quarterly.
- f. Base Fine. For outage tickets that are not repaired within 24 hours, assess a base fine amount of \$5 for each additional day as an automatic customer credit for each customer.
- g. Environmental and Social Justice Consideration. For outage tickets in a DAC or Communications AAC (based on the impacted customer’s place of primary use) that are not repaired within 24 hours, apply a base fine amount of \$10 per day for each additional day as an automatic customer credit for each customer.
- h. Noncompliance Severity Consideration. Apply multipliers to increase fine amount for extended outages. Refer to table below for details.

Wireless Community Isolation Outage Repair Standard				
Outage Duration	24 to 48 hours	Above 48 to 72 hours	Above 72 to 96 hours	Above 96 hours
Multiplier	1x	2x	3x	4x

2.5 Customer Service Standard -- Applies to all telephone corporations.

- a. Description. Customer Service Standard requires telephone corporations to adhere to these five criteria:

- i. Provide live agents to answer 80% of the customer service calls within 60 seconds and to answer 100% of the customer service calls within five minutes.
 - ii. Provide a chat component on the provider's webpage for customer service inquiries.
 - iii. Provide a postal mail component for customer service inquiries.
 - iv. Resolve billing-related inquiries by the next billing cycle.
 - v. Redirect outage-related inquiries to adhere to POTS Outage Repair Standard, VoIP Outage Repair Standard, or Wireless Community Isolation Outage Repair Standard.
- b. Standard. Adhere to all five criteria
 - c. Exemption. Not applicable.
 - d. Reporting Unit. Customer Service Standard is measured at the company level.
 - e. Reporting Frequency. Reports shall be compiled monthly and reported quarterly.
 - f. Base Fine. For each day of noncompliance, assess a base fine amount that is equivalent to the interest amount for late surcharge remittance.
 - g. Environmental and Social Justice Consideration. None.
 - h. Noncompliance Severity Consideration. None.

3. QUARTERLY VOICE SERVICE MEASURES FILING

3.1 Reporting Units. Voice service measures shall be maintained by reporting units as defined in Section 2.

3.2 Reporting Requirements. Regarding the quarterly voice service measures report templates, CD staff shall determine all reporting requirements, including but not limited to metadata fields, formatting, file type, and submission method. CD staff shall update the templates as necessary.

Quarterly voice service measures reports shall be submitted to CD within 45 days of the end of the reporting quarter.

Reports to the Commission regarding a provider's failure to meet the minimum standard shall state the actual levels of service the provider attained for each service measure and the months being reported.

3.3 Commission Staff Reports. CD staff may compile and post the minimum service standards and the performance of each telephone corporation on the Commission's website.

4. ANNUAL VOICE SERVICE MEASURES FILING

Advice Letter Tabulating Fine. The performance of any telephone corporation that does not meet the minimum standards shall submit annually, by February 15 of the following year, a Tier II Advice Letter that

shows by month each Service Quality measurement that it did not meet the minimum standards and the applicable fine.

The advice letter shall contain detailed calculations using MS Excel spreadsheets (or a format specified by the Communications Division) with explanations of how each fine was calculated and assumptions used in the calculation. CD will prepare a resolution for the Commission annually, and if the resolution is adopted, then fines shall be payable to the California Public Utilities Commission for deposit to the California General Fund.

The minimum annual fine shall be no lower than the registration fee for a CPCN.

5. **SERVICE OUTAGE REPORTING**

- a. Applicability. This section applies to:
 - i. All telephone corporations.
- b. Description. The Commission adopts and utilizes the FCC's Network Outage Reporting System (NORS) reporting requirements. The Commission also adopts and utilizes the California Governor's Office of Emergency Services (Cal OES) requirement for telephone corporations to submit notifications for community isolation outages.
- c. **NORS** Reporting Procedures:
 - (i) Telephone corporations are required to provide NORS reports for all service types, including POTS, VoIP, and wireless.
 - (ii) Concurrent reports shall be submitted to CD and the Public Advocates Office or their successor divisions when the carrier files its reports with FCC's NORS system. Carriers shall submit a report to the Commission when the communication disruption or outage meets the FCC's reporting threshold and that disruption or outage involves communications in California, regardless of whether the affected communications in California independently meet the FCC's reporting threshold. Reports shall be filed with the CD in a manner of CD's choosing.
 - (iii) Final NORS reports shall be made confirming that service has been fully restored.
- d. **Cal OES** Reporting Procedures:
 - (i) Telephone corporations are required to provide community isolation outage notifications to Cal OES for all service types, including POTS, VoIP, and wireless.
 - (ii) The Communications Division may request, through a standard template, the underlying data, including but not limited to individual access line information, of these outage notifications.
- e. Confidentiality. **NORS and Cal OES** reports submitted to the Commission pursuant to these rules shall be treated as confidential in

accordance with Pub. Util. Code § 583 and General Order 66-D.

- f. **Retention of Records.** All service outage reporting shall be retained for ten years.

6. WIRELESS COVERAGE MAPS– Applies to all facilities-based telephone corporations that are **registered as wireless carriers or service providers**, and have been granted a CPCN or a WIR.

6.1 Description: Wireless coverage maps shall show where wireless phone users **can** expect to receive signal strength adequate to place and receive calls when outdoors under normal operating conditions.

6.2 Requirements. Wireless carriers shall provide coverage maps on their websites and at retail **store** locations.

- a. Wireless carriers shall provide coverage maps in printable format on their websites and **also** in printable or pre-printed format at retail **store** locations **so** that customers can take **a printed copy** with them. Wireless carrier representatives at retail **store** locations shall implement procedures to make available **printable coverage map** during **the customer ordering process** depicting approximate wireless service coverage **at the customer's physical address location** applicable to the wireless service rate plan(s) being sold.
- b. Wireless carriers shall provide coverage maps depicting wireless service coverage applicable to the wireless service offered rate plan(s). All coverage maps shall include a clear disclosure of **equipment constraints with regards to wireless data transmission standards**.
- c. **Wireless carriers shall provide the latest coverage maps to CD capable of verifying coverage at exact address, preferably using Geographical Information System shapefiles.**

7. STAFF INVESTIGATIONS AND ADDITIONAL REPORTING REQUIREMENTS

Commission staff may investigate any reporting unit that does not meet a minimum standard reporting level and any major service interruption. Staff may recommend the Commission institute a formal investigation into a carrier's performance and alleged failure to meet the reporting service level for six or more consecutive months.

Carriers that fail to meet any standard for two consecutive months or more shall file with the Communications Division, or its successor, a Corrective Action Plan for each month that the service quality measures are not met that explains the reason(s) for missing the standard(s) and the actions that the company will take to correct the causes and improve performance to a level that meets adopted measures and standards.

8. AUTOMATIC CUSTOMER CREDIT RECORDS

If applicable, telephone corporations shall report the number and total amount of **automatic customer credits** by month. This data should be

compiled monthly and reported quarterly in a separate form filed with the quarterly **voice service measures** reports.

9. ALTERNATIVE PROPOSAL FOR MANDATORY CORRECTIVE ACTION

In support of a request to suspend the fine, carriers may propose, in their annual fine filing, to invest no less than twice the amount of their annual fine in a project (s) which improves service quality in a measurable way within 2 years. The proposal must demonstrate that 1) twice the amount of the fine is being spent, 2) the project (s) is an incremental expenditure with supporting financials (e.g. expenditure is in excess of the existing construction budget and/or staffing base), 3) the project (s) is designed to address a service quality deficiency and, 4) upon the project (s) completion, the carrier shall demonstrate the results for the purpose proposed.

Carriers **must receive approval from Communications Division, or its successor, to ensure they have picked appropriate target projects to invest funds. Communications Division or its successor may reject target projects or select other projects for investment.**

10. CUSTOMER NOTIFICATION

10.1. To inform customers of carrier performance, carriers shall annually provide customer notification detailing their performance from the previous year. The notice should have data consistent with the data contained in the Annual Voice Service Measures Filing, detailed in Section 4. The notice should be provided to customers in the billing cycle following the Annual Voice Service Measures Filing. This notice shall contain, at minimum:

- a. Total outages: the cumulative number of outages experienced by customers across the carrier's network in California.
- b. Total outage user-days: the total number of user-days wherein service was disrupted due to an outage. 24 outage hours, experienced by any number of cumulative subscribers, shall constitute one outage user-day.
- c. Average outage user-days: the average number of outage user-days experienced by a customer. I.e. the above number divided by the total number of users of the service.
- d. Total fine assessed: the total amount of fines that the carrier paid due to provisions of this General Order.

11. COMMISSION STAFF REPORTS

CD staff will compile and post the minimum service standards and the performance of each telephone corporation on the Commission's website. The website content will include data contained in the Quarterly Voice Service Measures Filing (detailed in Section 3), the Annual Voice Service Measures Filing (detailed in Section 4), Automatic Customer Credit Records (detailed in Section 8), and Customer Notification (detailed in Section 10).