

BEFORE THE PUBLIC UTILITIES COMMISSION



OF THE

STATE OF CALIFORNIA

ADMINISTRATIVE LAW JUDGE MARGERY MELVIN, presiding

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Order Instituting Rulemaking Proceeding)	PUBLIC
to Consider Changes to Requirements on)	PARTICIPATION
Video Franchisees Under the Digital)	HEARING
Infrastructure and Video Competition)	
Act, and Revisions to General Order 169)	Rulemaking
)	23-04-006

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1 MONTEREY PARK, CALIFORNIA

2 SEPTEMBER 5, 2024 - 1:08 P.M.

3 * * * * *

4 ADMINISTRATIVE LAW JUDGE MELVIN: We are now on
5 the record. The Commission will come to order. This is
6 the -- this is the third of six Public Participation
7 Hearings pertaining to Rulemaking 23-04-006. Rulemaking
8 23-04-006 is the Order Instituting Rulemaking Proceeding
9 to Consider Changes to Requirements on Video Franchisees
10 Under the Digital Infrastructure and Video Competition
11 Act, and Revisions to General Order 169.

12 Good afternoon. My name is Margery Melvin.

13 I'm the assigned administrative law judge for this
14 proceeding. The purpose of this hearing is to provide
15 the public with the opportunity to communicate directly
16 with the Commission regarding possible changes to the
17 Commission's licensing and oversight of video
18 franchisees under the Digital Infrastructure and Video
19 Competition Act of 2006, also known as DIVCA.

20 Senate Bill -- SB 28 directs the Commission to
21 adopt customer service requirements for video service
22 franchise holders and to adjudicate customer complaints
23 regarding franchisees. The Commission may also consider
24 potential ways to modernize and make the implementation
25 of DIVCA more efficient and effective.

1 We are here today to hear from you. We are
2 joined by Commissioner Karen Douglas's advisor, Eamon
3 Nalband. Commissioner Douglas is the assigned
4 commissioner for this proceeding. Commissioner
5 Douglas's advisor, Eamon Nalband, will offer comments
6 later during the hearing.

7 We are also joined by an officer and several
8 Commission staff. I'd like to thank them for their help
9 in putting this hearing together and for providing their
10 much-needed expertise and support on the various
11 components of this hearing. I would also like to thank
12 the City of Monterey Park for allowing the Commission to
13 use its facilities for this hearing.

14 To those of you who have not already done so
15 and who wish to speak, please sign up with Commission --
16 Commission's Public Advisor's Office at the table
17 located to the right -- to my right. If you are an
18 elected official, please inform the Public Advisor's
19 Office of this when you sign up to speak.

20 Before hearing from you, we will provide some
21 brief additional information on three things: The
22 background of regulating video service franchisees
23 leading up to today's proceeding, the Commission's
24 process for making its decision in this proceeding, and
25 then, three, the opening comments from Commissioner

1 Douglas's advisor, Eamon Nalband.

2 I would now like to provide you with some
3 background information on this proceeding. Before 2006,
4 cable television franchises -- franchisees were issued
5 separately by more than 300 California cities and
6 counties. In 2006, DIVCA streamlined the process by
7 authorizing the Commission to be the single statewide
8 franchising authority. It also established a simplified
9 application process.

10 There are currently 22 authorized video service
11 franchises in California. Together they serve about
12 five million California customers and collect over six
13 billion in revenue per year. The largest companies have
14 over one million customers and the smallest have less
15 than 100 customers. The five largest franchisees have
16 over 95 percent of all California video subscribers, and
17 they are: Comcast, Charter Communications, Cox
18 Communications, DIRECTV, and Frontier California.

19 Existing federal and state laws establish
20 various customer service standards. These include,
21 among others, that a video provider: A, must give an
22 annual notice to customers of rates, services, and
23 complaint procedures; B, must give a minimum of 30 days
24 written notice before increasing rates or deleting
25 channels; and, C, must provide -- must respond to a

1 complete outage within 24 hours and must fix the problem
2 promptly.

3 While DIVCA moved the franchising authority to
4 the Commission, it left authority with local cities and
5 counties to resolve customer complaints and direct
6 compliance.

7 As already noted, SB 28 modified DIVCA and
8 requires the Commission to adopt customer service
9 requirements of a holder of a state franchise and
10 adjudicate customer complaints. The Commission opened
11 Rulemaking 23-06-004 for this purpose, and today's
12 hearing is part of that rulemaking proceeding. This
13 concludes the summary on the background.

14 Let's now go into how the Commission makes its
15 decisions. The Public Utilities Commission has five
16 commissioners who are appointed by the governor and
17 confirmed by the state senate, including Commissioner
18 Douglas, who is the assigned commissioner for this
19 rulemaking and one of five governor-appointed
20 commissioners.

21 My responsibility is to manage the day-to-day
22 activities of the proceeding and to help Commissioner
23 Douglas evaluate all the evidence in this proceeding,
24 including your input, and to write a proposed decision
25 based on that evidence.

1 The five commissioners are ultimately the ones
2 who will vote on the proposed decision or in some cases
3 an alternate decision. The decision that is ultimately
4 adopted will establish the customer service requirements
5 for the franchisees and the mechanisms to adjudicate
6 customer complaints.

7 All formally filed documents are listed and
8 available for your review on the Commission's webpage we
9 call the "Docket Card." The Commission welcomes you to
10 follow the proceeding this way. In fact, your comments
11 today will also be listed and published on the Docket
12 Card because our court reporters are transcribing this
13 hearing and taking down everything that is said.

14 At this time, I'd like to give the
15 commissioner's advisor, Eamon Nalband, an opportunity to
16 provide comments.

17 MR. NALBAND: Good afternoon. My name is Eamon
18 Nalband. I'm the advisor to Commissioner -- Assigned
19 Commissioner Douglas on this proceeding. We also
20 partnered with Commissioner Darcie Houck.

21 I just want to start by thanking everyone here
22 taking time out of their busy day to participate in
23 today's public participation hearing. These hearings
24 are an important way for the Commission to hear directly
25 from the members of the public, local government, and

1 representatives and organizations active in this space,
2 among others.

3 Today, I'm interested in hearing from you on
4 your experiences dealing with customer service or video
5 franchises how we, as a Commission, can best develop
6 customer service requirements and modernize that
7 oversight of video franchise holders.

8 Before I hand it back to Judge Melvin, I just
9 want to thank the City of Monterey Park for allowing us
10 to use their facility and our CPUC team here, who has
11 been working hard behind the scenes to put this here
12 together, including our Public Advisor's Office, our IT
13 staff, and court reporters. And, of course, our legal
14 and communications staff who helped shepherd this
15 proceeding along with our judges, Judge Mattson and
16 Judge Melvin. Thank you, again, to everyone here for
17 your participation today. I'm looking forward to
18 hearing from you.

19 ALJ MELVIN: Thank you, Eamon Nalband.

20 Again, the purpose is to hear directly from
21 you, the customers of the franchisees. The Commission
22 thanks you for spending your afternoon with us today.

23 The Commissioner -- the commissioner's advisor
24 and I will be paying close attention to what you say,
25 and transcripts will be available for each of the other

1 commissioners and their staff to read.

2 We will now hear from you, the public. So each
3 of you will have three minutes to provide public
4 comment. You will come to the dais here and provide
5 your name and spell your name for our court reporter to
6 transcribe. A yellow light will come on when the
7 one-minute mark -- at the one-minute mark to alert you
8 that you have one minute or less to finish your comment.

9 And I do have a list of persons who have signed
10 up, and I'm going to go by that list. And let me pull
11 that up.

12 So the first person on my list is Bobbie
13 Ferguson.

14 STATEMENT OF SPEAKER FERGUSON

15 Good afternoon. My name is Bobbie Ferguson,
16 B-o-b-b-i-e F-e-r-g-u-s-o-n, and I'm a resident of
17 Burbank.

18 I have worked in public education and
19 government access television since 2006. During my
20 employment at three stations here in Southern
21 California, there have been many advancements in the way
22 that people consume media as well as the quality of
23 video production equipment.

24 However, there are some things that have
25 remained the same. First, the subpar standard

1 definition video signal given to local access channels
2 as compared to the other available channels despite the
3 fact that we have been using -- utilizing
4 high-definition video cameras and equipment for many
5 years. Second, there's the fact that it is very
6 difficult for a viewer to discern what is actually
7 playing on those access channels as cable providers have
8 not been offering any sort of detailed schedule
9 information on their channel guides to consumers.

10 Head channels are an essential way and perhaps
11 the only avenue that residents find information out
12 about their community such as through city council
13 meetings, press conferences, emergency information and
14 messaging, and much more. It has been said that the key
15 to real change is at the local level. Access television
16 is a way for people to be aware of what's going on in
17 their very own backyard not just at a state or national
18 level. However, with such poor video quality and lack
19 of program guide information, that may be just enough to
20 dissuade someone from engaging and becoming informed.
21 We are just requesting that cable providers invest the
22 same resources into PEG channels that have already been
23 made available to others.

24 Thank you so much for your consideration.

25 ALJ MELVIN: Thank you, Bobbie Ferguson, for

1 your comment.

2 The next person on my list is George Falardeau.

3 SPEAKER FALARDEAU: Falardeau.

4 ALJ MELVIN: Falardeau. I apologize. Thank
5 you.

6 STATEMENT OF SPEAKER FALARDEAU

7 No apologies. Thank you. Thank you, Judge.
8 Thank you, Commission, for hearing us today.

9 My name is George Falardeau. It's spelled
10 F-a-l-a-r-d-e-a-u. I am the executive director and the
11 CEO of Passing New Media, which is the non-profit
12 community media center, which oversees the public
13 government and two educational access channels in the
14 City of Pasadena. We also provide and distribute the
15 City of Pasadena's public meetings. We partner with the
16 County of Los Angeles for coverage of the Alta Dena town
17 council meetings.

18 I have two issues I'd like to address with you
19 today. The first is that all four of our PEG channels
20 are distributed on Charter, Spectrum, and AT&T's legacy
21 cable product, known as U-verse, in standard definition.
22 Despite the fact that we produce everything in
23 high-definition, and we have done so for over a decade,
24 the downgrading of content that -- that we create that's
25 used and seen on high def -- high def screens doubt the

1 standard definition presents barriers and problems
2 through communication. A prime example of this is
3 informational slides created for public meetings. The
4 graphs, the charts, maps, other programs and diagrams
5 that you see, even at this council meeting, for example,
6 the public has to see that eventually. When that gets
7 downgraded, it's distorted.

8 The other thing I want to talk to you about is
9 the fact that our schedules and our program information
10 are not carried on the electronic program guide that
11 customers use to find -- to tune in and -- and to record
12 our programming. Not only can viewers not find our
13 specific program information, but on Charter cable boxes
14 in Pasadena, three of the four channels are simply
15 identified as Public, Education, and Government access.
16 Only one of them are educational channels and somewhat
17 correctly identified as "educational access."

18 The del -- deliv --

19 (Timer notification.)

20 SPEAKER FALARDEAU: -- the delivery of the
21 public information of the same quality and the matter of
22 the channels are -- are essential for our customer
23 service standards. We play a crucial role in government
24 transparency and a vital source of news and civic
25 information. I believe that the -- the substandard

1 treatment of the PEG channels presents a serious harm to
2 our customers. Some of our viewers are not Internet
3 users and -- and rely -- and rely on cable channels for
4 local information.

5 I urge this group and the CPUC to adopt and
6 enforce customer service standards to ensure quality for
7 California customers. And that the inferior treatment
8 of our valuable PEG channels be addressed. Thank you
9 for allowing me to speak.]

10 ALJ MELVIN: Thank you very much,
11 George Falardeau. Thank you.

12 The next person is Chris Miller.

13 STATEMENT OF SPEAKER MILLER

14 Hi. My name is Chris Miller, C-h-r-i-s
15 M-i-l-l-e-r. I have been the chief operating officer of
16 Pasadena Media for 11 years; and while I've served in
17 the community for 20 years in three states, this is my
18 first experience with statewide franchising.

19 If DIVCA was intended to create competition,
20 lower rates, and ensure investment infrastructure and
21 support for local access channels, I'm afraid it missed
22 the mark. I want to thank you very much for scheduling
23 these hearings and gathering information from the public
24 about the issues we all face.

25 In addition to what you've just heard about

1 Pasadena Media's distribution of local information and
2 oversight of the three -- well, four PEG channels, the
3 City has also charged us with collecting complaints
4 about customer cable service from residents and working
5 with providers to escalate these issues in hopes of
6 finding resolutions.

7 So if a Pasadena resident has a cable-related
8 complaint that has not been resolved by dealing directly
9 with their provider, our phone number is on the back of
10 their bill under "Franchise Administrator," so in
11 fulfilling this duty, we have some insight into customer
12 service issues, at least in Pasadena.

13 While close to half of the complaints we've
14 seen since I arrived have related to billing issues, we
15 also hear about issues regarding audio and video quality
16 and missing channels, which are generally, most often,
17 the local PEG channels; functionality problems, such as
18 video-on-demand not working; outages; construction,
19 often when trying to get new service to a home; and
20 hazards, such as dangling wires.

21 I'll also echo what Mr. Falardeau had just said
22 regarding the electronic program guide and
23 high-definition. The spirit of DIVCA seems to guarantee
24 PEG channels similar quality and functionality to that
25 offered by commercial channels, but that's not

1 happening.

2 Another item you need to be aware of is that
3 when it comes to getting our channels to Charter, which
4 originate in HD, those signals are downgraded to
5 standard definition, and the same RF modulation
6 technology that we used in the '80s is utilized to
7 transport them now.

8 My understanding is that this is why our
9 channels are the first to go missing should the signal
10 decrease for any reason going to a customer. It's also
11 likely why it took Charter 22 hours last week to restore
12 our channels after a line extender was vandalized.

13 When we have asked Charter about utilizing more
14 current technology to deliver our HD signals, we've been
15 presented with pricing options. Colleagues from other
16 communities have run into this as well, some of whom are
17 now paying for delivery of PEG channels, and this
18 appears to be against the law.

19 In closing, I urge the CPUC to develop and
20 enforce customer service standards for video service
21 providers, and I hope that this subject will be
22 regularly revisited. There have been major changes in
23 technology in media since 2006, and I have little doubt
24 that the next 18 years will be any different.

25 Again, thank you for the opportunity today.

1 ALJ MELVIN: May I ask you a question?

2 SPEAKER MILLER: Yes.

3 ALJ MELVIN: And you don't have to answer it;
4 but what I'd like to know, can you speak to your
5 experience with presenting your complaints to local
6 entities, if at all, if you've ever done that?

7 SPEAKER MILLER: Sure. Yes.

8 So the process in Pasadena is if -- if a
9 customer calls us, I generally go "Have you talked to
10 your provider?" Okay? And if they haven't, I send
11 them -- I give them the (800) number, whether it be
12 Charter or, now, DIRECTV.

13 If they have, I then use a -- an escalation
14 address for each of these companies to get to someone
15 higher above the general customer service; and in
16 general, they do rectify the complaints, but not always,
17 and that's when I've given them the CPUC's contact
18 information.

19 ALJ MELVIN: Okay. So you've never -- never
20 tried to include the local entity in assisting?

21 SPEAKER MILLER: So we -- we copied the City
22 government on this, since that's the franchise holder,
23 but they -- you know, the way this is structured, DIVCA,
24 they generally don't want to touch it. They think it's
25 the CPUC's responsibility.

1 ALJ MELVIN: Thank you.

2 Let's see. The next person on my list is
3 Avram Gold.

4 STATEMENT OF SPEAKER GOLD

5 Good afternoon. My name an Avram Gold. That's
6 spelled A-v-r-a-m G-o-l-d. I'm a resident of Pasadena
7 and a board member of the Pasadena Community Access
8 Corporation. Accordingly, I have some questions I wish
9 to go on the record.

10 Why is Charter forcing Pasadena Media to
11 broadcast City events and programming using substandard
12 definition to create a substandard viewing experience?
13 Why is this mega-media delivery system doing that? Is
14 it a bandwidth -- bandwidth deficit? Really?

15 Is -- is raising community media broadcast
16 standards a cost that would seriously impact the profit
17 margin, or is the content produced by local communities
18 too much of a competition against paid programming? Is
19 that it?

20 Do any of these questions have defendable
21 answers? I can't speak for other cable giants, but why
22 is Charter discouraging community viewing? What are
23 they afraid of? What do they have to lose? Why are we
24 even here needing to protest this situation?

25 I urge the CPUC to create and enforce

1 high-speed broadcast and high-definition resolution
2 standards for all video service -- service providers,
3 including public, educational, and government media
4 centers.

5 Thank you for your time and attention to this
6 serious matter.

7 ALJ MELVIN: Thank you.

8 Next on my list is Danny Hesse -- Hesse.

9 STATEMENT OF SPEAKER HESSE

10 Okay. My name is Danny Hesse, spelled
11 H-e-s-s-e; and I do work at Pasadena Media.

12 Now, during the pandemic, being people were
13 looking for --

14 ALJ MELVIN: I'm sorry. Do you mind spelling
15 your name for us just so that --

16 SPEAKER HESSE: Oh, sure.

17 D-a-n-n-y H-e-s-s-e.

18 ALJ MELVIN: And you may proceed. I'm sorry.

19 SPEAKER HESSE: I was going to say during the
20 pandemic, people were looking for information from their
21 community leaders as to what steps they were taking in
22 order to address such a catastrophic situation, and the
23 need to connect was urgent.

24 Then the public realized the importance of
25 having local government meetings and activities easily

1 accessible. Unfortunately, the cable companies were and
2 still are carrying public access programming in outdated
3 standard definition, which other people have been
4 talking about, but it's super important.

5 But the fact that there's still programming in
6 standard definition kind of tells the customer and the
7 public that local content shown in high-definition
8 quality is unimportant.

9 You know, you try to read the graphics or the
10 names of the people's names and you can't read it
11 because it's in the wrong place or it's -- you know,
12 it's just, you know, the graphics are hard to see, and
13 City presentations are too bright, or whatever it is.

14 And it's the 21st century, and the public has
15 gotten used to and demands HD broadcasting. Most local
16 access studios certainly produce content in HD, and the
17 cable companies should be providing that, so I'm just
18 asking you to please develop and enforce customer
19 service standards for these companies so that PEG
20 channels can better serve their communities because
21 people realize how important it is now and once they see
22 how easy it is to get to, they can go "Oh, I think I'm
23 going to watch. This is important."

24 So I just thank you for the opportunity to
25 speak.

1 ALJ MELVIN: Mr. Hesse, a question for you.

2 SPEAKER HESSE: Sure.

3 ALJ MELVIN: If you've ever presented this
4 issue of high-definition -- the need for high-definition
5 resolution to the company, what response, if any, have
6 you gotten?

7 SPEAKER HESSE: All these questions go through
8 Chris Miller; and usually the response is none at all,
9 for the most part. That's what I'm led to believe.
10 Or -- or "We're working on it," or whatever it may be.
11 But as far as I know, it just doesn't seem to be
12 important to them.

13 I'm not blaming them or putting them on the
14 spot by saying "Oh, it's this"; but from my experience,
15 it's like it doesn't really matter.

16 ALJ MELVIN: Thank you.

17 SPEAKER HESSE: Thank you.

18 ALJ MELVIN: Next on my list is Lanny Larsen.
19 And please be sure to state your name, spell
20 your name, and you can give your comment.

21 STATEMENT OF SPEAKER LARSEN

22 Thank you. My name is Lanny Larsen, spelled
23 L-a-n-n-y L-a-r-s-e-n. I'm the vice president of a
24 homeowners association in Santa Clarita, Friendly Valley
25 Country Club; and while we go by the title of "country

1 club," it's actually a 55-plus senior community
2 homeowners association of 1,290 units.

3 It's our understanding that one aspect of this
4 bill would make it so that the companies cannot do bulk
5 contracts any longer and we wouldn't be able to
6 negotiate bulk contracts with Spectrum.

7 We have been negotiating contracts with
8 Spectrum as an association for many years, and it saves
9 our senior residents a considerable amount of money by
10 doing it that way. I would really hate to see that a
11 bill like this would cause us to have to charge our
12 senior residents more or have them have to go through
13 the process of individually getting the TV and cable
14 services.

15 Currently we provide both the internet service
16 and the TV cable service through our bulk contract to
17 all 1,290 of our units. I don't understand why there
18 would be any interest in making it more expensive for
19 our senior community -- senior residents to get access
20 to the internet, and that is -- the essential question
21 that I would have: Is that, in fact, something this
22 bill would do, as we have been -- had it explained to
23 us?

24 Thank you.

25 ALJ MELVIN: Thank you very much for your

1 comment.

2 Next on my list is Liam Arnade.

3 And please feel free to correct me or correct
4 my pronunciation of your name.

5 STATEMENT OF SPEAKER ARNADE-COLWILL

6 That's perfect. Thank you so much.

7 Good afternoon. My name is Liam
8 Arnade-Colwill, last name spelled A-r-n-a-d-e, hyphen,
9 C-o-l-w-i-l-l; and I serve as the youth advocacy manager
10 at the organization Para Los Ninos.

11 Since 1980, PLN has worked tirelessly to
12 support children and families across L.A. County through
13 high-quality education and comprehensive wraparound
14 services. Approximately 92 percent of the families we
15 serve are low-income, predominantly Latino, and many
16 live in communities where reliable, affordable internet
17 access is still a challenge, and that's why our
18 organization is here today.

19 Reforming DIVCA is crucial to ensuring that
20 every resident of Los Angeles, regardless of income or
21 neighborhood, has equitable access to the additional
22 tools needed to thrive. In too many low-income,
23 marginalized communities across L.A. County, internet
24 access remains slow, inconsistent, and prohibitively
25 expensive.

1 For young people who depend on the internet for
2 education, career opportunities, and staying connected
3 with the broader world, this digital divide is more than
4 just an inconvenience, it's a fundamental barrier to
5 opportunity and upward mobility.

6 When our youth are deprived of the same digital
7 resources as their peers, it widens the gap between
8 affluent and low-income communities, reinforcing cycles
9 of inequality.

10 During a recent meeting of our youth task force
11 on digital equity, a student powerfully stated that
12 internet access should be considered a human right. We
13 wholeheartedly agree. Imagine a future where every
14 young person, regardless of background, has the tools
15 they need to learn, grow, and share their destiny.

16 By ensuring that all communities have access to
17 affordable high-quality broadband, we are not only
18 investing in our youth, we are also building stronger,
19 more resilient communities. Today our organization is
20 here to stand for fairness, opportunity, and the future
21 of every young person in Los Angeles.

22 So in conclusion, while DIVCA may have
23 streamlined the permitting process and expanded
24 infrastructure, we're still seeing inequality,
25 inequities in how people are able to access the

1 internet, and so we hope that through the amending of
2 this law, the revision of this law, new oversight or
3 provisions could be put in place to ensure that internet
4 service providers and video service providers aren't
5 able to discriminate.

6 Thank you so much.

7 ALJ MELVIN: Thank you. Thank you very much
8 for your comment.

9 Next on my list is Oscar Magana.

10 Please remember to state your name and spell
11 your name for the record.

12 And, also, if you wish to speak and you have
13 not signed up, please be sure to see the gentleman over
14 here at the table to my right and give him your name.

15 Mr. Magana, you may proceed.]

16 STATEMENT OF SPEAKER MAGANA

17 Thank you, Commissioners, for holding this
18 public hearing today and for hearing us out.

19 My name is Oscar Magana. That's O-s-c-a-r
20 M-a-g-a-n-a. I'm here to speak today in two capacities:
21 One, as a customer, and the other one is a -- a
22 representative of everyone on -- as the senior program
23 manager in L.A. County for an organization that works
24 nationwide to bring digital inclusion to underresourced
25 communities.

1 As a customer, we recently noticed that there
2 was an increase in our rate, our market rate offer of
3 \$5.50. We have spoken to family, friends, and
4 colleagues who also have Spectrum, and nobody
5 who -- everybody received the rate, but nobody received
6 notice that the rate increases were coming. There
7 should be a mandatory notice that's sent out when rate
8 increases are going to happen.

9 You know, I don't get -- I have paperless
10 billing, so I don't get mail from Spectrum. But I
11 constantly get propaganda from them offering me
12 different services but never received a notice saying
13 that there was going to be an increase.

14 One of my colleagues did inquire about why the
15 increase happened, and customer service told them that
16 it was due to recent California regulations that
17 required the rate increase.

18 Now, as a representative of everyone on, I want
19 to speak on behalf of the participants that we service.
20 During ACP, we signed up many, many people to the
21 Affordable Connectivity Program. Unfortunately, that
22 program has come to an end. The biggest concern that
23 customers are telling us is they can't afford internet
24 because of the prices that are currently being offered.

25 Now, prior to ACP, low cost offers that the

1 ISPs were offering were at \$10 a month on average. I
2 think the most expensive low cost offer at that time was
3 \$20 a month. Now, post ACP, any of the low cost offers
4 that ISPs are offering are at \$30 a month. And I think
5 that this is unfair when we know for a fact that the
6 reason that customers -- or potential customers who
7 still are in underresourced communities can't sign up
8 for service is because of cost being the main detriment
9 to them. So we ask that you mandate or make rules so
10 that low cost offers are made available to customers and
11 that ISPs bring back the low cost offers that were
12 available pre-ACP.

13 There's no reason for them not to bring those
14 offers back. I know that recent federal regulations
15 have mandated that the speeds be increased. And they're
16 going to say that that's part of the reason why they
17 have to charge more for these low cost offers, but the
18 mandate to increase the speeds didn't come with a
19 mandate to increase the price.

20 Thank you.

21 ALJ MELVIN: Thank you very much for your
22 comment.

23 Next on my list is Liliana Monge.

24 STATEMENT OF SPEAKER MONGE

25 Hello. Good afternoon. Thank you so much for

1 being here and hearing our stories.

2 My name is Liliana. My name is spelled
3 L-i-l-i-a-n-a, last name is M-o-n-g-e. I'm here to talk
4 to you about -- about my mother. Unfortunately, she is
5 a monolingual Spanish-speaking elderly woman who lives
6 in Norwalk, California, a very low-income community in
7 southern -- in the southern part of the L.A. County.

8 And she has at times made the investment of
9 securing internet service. And, unfortunately, she had
10 very consistent outages that required her to try and
11 call customer service, which took a lot of time, and was
12 very difficult for her to get a Spanish-speaking rep,
13 which is really unconscionable given that the state of
14 California is majority -- almost majority Latino.

15 And so when she finally was able to speak with
16 someone in her language -- for an elderly person, it's
17 very difficult for them to sit there and troubleshoot.
18 Consistently, she was having to, like, reset her router
19 and reset her tower. And for someone, you know, who is
20 70 plus, that's very difficult. She -- you know, these
21 elderly populations did not grow up with this type of
22 technology. And so ultimately what she ended up doing
23 was discontinuing her service because if -- you know,
24 for her to pay \$80 a month to then have a -- a service
25 that's very inconsistent just doesn't make sense for

1 someone that is on a fixed income.

2 And, unfortunately, for someone who is elderly,
3 the impact is that she is not able to participate in
4 telehealth, which she would very much benefit from. And
5 she also wasn't able to do her own disability claim that
6 she had to do. It's really impossible to do that over
7 your phone if you don't have reliable internet service.

8 And, you know, having a conversation with your
9 elderly mother and trying to -- you know, trying to
10 convince her that \$80 is a good value --

11 (Timer notification.)

12 SPEAKER MONGE: -- you know, it's really --
13 it's difficult because she had experienced that. She
14 had such a hard time with having inconsistent service,
15 which is a lot worse than the service that I get. I
16 live in Cerritos, and my sister gets -- that lives in a
17 more affluent part of Whittier. So it's really sad to
18 see that service quality is so different in different
19 cities. And it's very difficult to see that
20 Spanish-speaking elderly individuals are not given the
21 type of customer service that they deserve.

22 So we appreciate any effort you need to remedy
23 this situation, and I appreciate your time. Thank you.

24 ALJ MELVIN: Thank you.

25 Ms. Monge, may I ask you a few follow-up

1 questions?

2 SPEAKER MONGE: Yeah, yeah.

3 ALJ MELVIN: In a -- I would say a week -- a
4 one-week period of time, how many times, if -- if you
5 know, would you say that your mother experiences these
6 outages in a week?

7 SPEAKER MONGE: So she was getting outages
8 where she had to call and restart her router probably
9 like every three to four weeks, which, for her, just
10 felt like a really big burden because she just -- she
11 doesn't know how to go through the process, so she has
12 to call. They have to walk her through it. And it's
13 just really, really time intensive and laborious for
14 her. And as an elderly person that -- you know, she's
15 73. She didn't grow up with this type of tech.

16 ALJ MELVIN: Thank you. And then one other
17 question regarding -- you mentioned the length of time
18 to get someone on customer service. If you know, how
19 long, roughly, would you say your mom would have to wait
20 to get -- to speak to someone in customer service
21 regarding these outages?

22 SPEAKER MONGE: Yeah. I -- I don't have the
23 exact length, but I know that she complained about it a
24 lot. So much so that, at the end of the day, she just
25 got rid of the entire service. And now she can't, you

1 know, participate in telehealth, which is another burden
2 for the -- the rest of the family.

3 ALJ MELVIN: And then, finally, I thought I was
4 going to have this last question. With respect to a
5 translator, was one available? What -- what's kind of
6 process in getting someone on the line for your mom to
7 communicate with?

8 SPEAKER MONGE: Yeah. I think that's what took
9 the longest for her to get customer service is that our
10 initial customer service was probably in English. And
11 so then she had to get put back into the queue to get
12 the Spanish-speaking customer service rep, which just
13 made the whole process very, very difficult for her.

14 ALJ MELVIN: Thank you.

15 SPEAKER MONGE: Thank you.

16 ALJ MELVIN: Next on my list is Walt Stringer.

17 STATEMENT OF SPEAKER STRINGER

18 Good afternoon. Walt, W-a-l-t, Stringer,
19 S-t-r-i-n-g-e-r. I'm an individual homeowner, resident
20 of Carlsbad, California. That's in the northern part of
21 San Diego County. I'm also a Spectrum customer for
22 bundled services of the telephone -- landline telephone,
23 internet, and cable television, of course.

24 So I'm glad to see that you're undertaking this
25 rulemaking. The City of Carlsbad is listed as having a

1 franchise administrator, but I've never been able to
2 raise an actual person who's willing to take that on in
3 the city. So I'm glad the PUC is taking it on.

4 My specific concerns about Spectrum services
5 over the past few years in my area are frequent price
6 increases. They are disclosed. You have to read the
7 fine print in the bill. And usually around page 2, they
8 have little paragraphs that shows what rate increase is
9 coming up. But they are frequent, and sometimes they
10 are attributed to others like cable networks, sometimes
11 equipment. But it's a constant parade of rate increases
12 that goes on with Spectrum.

13 Also, their bills are about a page and a half
14 long. I could see where it could be confusing to
15 someone when they use bundling -- pricing with bundling
16 discounts. Like I have a bundle of three services, and
17 those bundles can change.

18 The third thing, this is a business practice,
19 so I'm not sure how the PUC would regulate it. But when
20 one goes to a Spectrum office in San Diego County, one
21 is often solicited for wireless business. And if you
22 think about it, they can't know what kind of a discount
23 they can give you on your bundle because they have to
24 look at your bill. They have to see what wireless
25 service you wanted. So it's -- it's kind of a false

1 premise to think that if you sign up for Spectrum
2 wireless --

3 (Timer notification.)

4 SPEAKER STRINGER: -- you're going to get the
5 discount on your home bill without all those details
6 being known.

7 So those are my main concerns, and I'm looking
8 forward to seeing more regulation. And I do want to
9 ask -- just looking at your literature, I don't know as
10 I would need to be a party to this proceeding that
11 has -- I don't know what the implications are of being
12 a, quote, unquote, "party." But the subscription that
13 is mentioned here, just to see how you are progressing
14 in the matter would be of interest.

15 I mean, can you define the difference between a
16 party and a subscription?

17 ALJ MELVIN: Well, if you're speaking of being
18 involved and aware of what is going on, what you should
19 probably do is go on to the Commission's Docket Card and
20 follow the proceedings. You can always provide a public
21 comment and weigh in that way. But in terms of -- of
22 being a party --

23 (Timer notification.)

24 ALJ MELVIN: -- disregard that. If you felt
25 that you wanted to be a party, you can always -- you

1 could file a request to be a party with our -- I'm
2 having a blank. The -- the Docket Office and the
3 Process Office. And all of that information is on the
4 Commission's website.

5 SPEAKER STRINGER: Okay.

6 ALJ MELVIN: So --

7 SPEAKER STRINGER: But a subscription could be
8 a good starter to keep up with your hearings and events?

9 ALJ MELVIN: A subscription in terms of -- I'm
10 sorry. I'm not following you.

11 SPEAKER STRINGER: It says, "subscribe to the
12 proceeding at."

13 ALJ MELVIN: Yeah, yeah, yeah. So that's
14 exactly what you do. You can follow the proceeding by
15 subscribing, and you will get updates on what's going on
16 and any of the documents filed. And, again, the
17 proceeding numbers are -- I am having a blank.
18 R.23-04-006. So you just type that number into the
19 appropriate area and subscribe to the proceeding and you
20 will get updates.

21 SPEAKER STRINGER: Okay. I was notified of
22 this by my Spectrum bill, which I read end-to-end.

23 ALJ MELVIN: Excellent. Very good. Thank you.

24 At this point, there -- there is another person
25 on the list, Shayna Englin.

1 And, Ms. Englin, we'll have you come and give
2 your name, spell your name for the record, and provide
3 your comment.

4 STATEMENT OF SPEAKER ENGLIN

5 Thank you. I'm Shayna Englin, S-h-a-y-n-a,
6 last name is E-n-g-l-i-n. And today I'm here both on
7 behalf of myself and also the California Alliance For
8 Digital Equity.

9 Also, just wanted to make an offer to the
10 gentleman from San Diego. We offer technical assistance
11 to folks that want to become parties to proceedings, so
12 I'll find you after.

13 Just on behalf of myself, I wanted to share my
14 experience. We recently moved. My husband and I
15 recently moved about a mile within the City of Pasadena.
16 We came from a building that we had a non-negotiable --
17 non-negotiable addition to our rent that was an \$80 a
18 month technology fee. We paid it whether we got service
19 or not. And it was the only way for us to get service,
20 and it had to be virtual. And I have no idea what
21 service level we were paying for \$80 a month.

22 We had no pull in negotiating and no options,
23 so we moved a mile away. We moved into a building that
24 didn't have that kind of monopoly in it. So we did --
25 we were able to access a much better rate at \$30 a month

1 for 500, which is great. And that came with a \$75
2 non-negotiable, non-refundable installation fee.

3 What we got in exchange for that installation
4 fee was Spectrum sent us a modum in the mail that we
5 could plug in. When it didn't work for three days --
6 and we called every day, multiple times a day, for
7 three days spent -- between my husband and I, for
8 three days in a row, spent upwards of two hours a day on
9 either hold or trying to troubleshoot through an
10 automatic -- by an automated system. You had to go
11 through an automated system before you could actually
12 talk to a human. All the human could do was send a
13 signal through the wire to confirm, "Yup. It's not
14 working," which we obviously already knew.

15 Then they tried to send us another modem. The
16 second modem didn't work, and it turned out they
17 eventually had to send somebody out. And it turned out
18 that the -- the wires actually weren't linked. So we
19 paid for five days of service that we were not able to
20 access and spent more than a full work day trying to
21 resolve this problem with customer service.

22 I just wanted to add, on behalf of California
23 Alliance For Digital Equity -- that's my own personal
24 story. We work with, across the state, a number of
25 organizations that engage low-income communities,

1 communities of color, and other disadvantaged
2 communities to get better connected.

3 And the story I just told was from -- of
4 privilege; right? My husband and I both have jobs and
5 capacity to be able to spend that time. We speak
6 English. We were able to afford the \$75 on top of the,
7 you know, deposit and everything else for our new rent.
8 Many of the communities and organizations that we work
9 with that represent those communities do not. And so it
10 is a significant barrier, that level of customer service
11 challenge and inexplicable customer service charges.
12 You know, they charge you to plug in their modem
13 is -- makes no sense, and it is a significant barrier.

14 ALJ MELVIN: May I ask you a couple of
15 follow-up questions?

16 SPEAKER ENGLIN: Sure.

17 ALJ MELVIN: Will you identify the company
18 with --

19 SPEAKER ENGLIN: Charter.

20 ALJ MELVIN: Charter. Okay.

21 SPEAKER ENGLIN: It's that -- it's the monopoly
22 in our area. It's the only option.

23 ALJ MELVIN: And you mentioned about --
24 spending about two hours a day listening to automated
25 calls in the automated system. At what point -- or how

1 long would you say it took for the company to provide an
2 in-person installation -- or installer to come out and
3 troubleshoot?

4 SPEAKER ENGLIN: It was four days.

5 ALJ MELVIN: Four days?

6 SPEAKER ENGLIN: Four days of daily --
7 four days and then -- and them sending a new modem for
8 us to plug in before they would send somebody out.

9 ALJ MELVIN: Thank you.

10 SPEAKER ENGLIN: Thank you.

11 ALJ MELVIN: There are no additional persons on
12 my list, so what I would like to do is take a ten-minute
13 break and see if someone else is going to show. And if
14 so, we'll come back, and I'll take additional comment.
15 But right now, we will take about 10 minutes. And so
16 let's see. The time is now 1:47 p.m. We'll come back
17 at -- let's just make it 2:00 p.m.

18 Thank you. And we are off the record.

19 (Recess taken.)]

20 ALJ MELVIN: We're back on the record. We took
21 about a ten-minute break to give additional persons an
22 opportunity to sign up with our Public Advisor's
23 office -- Public Advocates office. Excuse me. And we
24 do have -- oh, I'm sorry -- Advisor. Advisor's office.

25 So we have two additional persons; and when you

1 speak, I ask that you state your name and spell your
2 name for the record, and you'll have three minutes to
3 speak.

4 I have Bob Guzman on my list; so, Mr. Guzman,
5 you may come and share your comment. And you'll have
6 three minutes.

7 STATEMENT OF SPEAKER GUZMAN

8 Hello. My name is Bob Guzman. I work for
9 United Parents and Students. I'm the senior
10 communication coordinator for them. I'm also a part of
11 the Digital Equity Coalition that has spoken here today,
12 very proudly.

13 I have my own experience, but I'll save that to
14 the end if I have time. But I will speak for some of
15 the 10,000 families that we serve across Los Angeles
16 County.

17 What we do is we ask simple questions of the
18 community so we can better understand how we can help
19 organize communities around the issues that they need,
20 one of them being internet.

21 One of the questions is "Do you have internet?"
22 A lot of the families that we serve do not. We know
23 that during the pandemic, there -- there is a famous
24 story of the difficulties of going to McDonald's every
25 day to be able to access internet and be able to attend

1 their classes. That is not -- that's not a rarity,
2 unfortunately, in a lot of the areas in L.A. County.

3 Another question that we ask is "What's the" --
4 if they do have internet, what is the price that they
5 pay. Oftentimes they're paying over \$70 up to \$100 or
6 more for internet. That means that for the families
7 that don't have internet, they do that not because they
8 don't want internet, they don't want -- not because they
9 don't want to be connected to the world outside, it's
10 because they have to make a choice between paying their
11 car note or paying for food.

12 Another one is "Do you have difficulty in
13 connecting with your internet provider?" And a lot of
14 our families are Spanish-speaking families; and yes,
15 oftentimes -- as one of the Coalition members had
16 mentioned, you know, her mother had -- is a
17 mono-English -- a monolingual Spanish speaker, and that
18 is often one of the -- one of the main problems, aside
19 from not being able to actually speak to another person,
20 which is something that even myself at my age, I -- I
21 would rather speak to another person when dealing with
22 customer support.

23 One other thing that we -- that we ask in our
24 communities is "How reliable is your internet?" Our
25 internet in a lot of South L.A., we see it as a digital

1 area, but it is not a stable internet, oftentimes going
2 on -- going in and out, having to reset their routers,
3 oftentimes having to, you know, go days without
4 internet.

5 And one poignant question or one statement that
6 somebody said to us -- a student, actually -- and
7 parents clapped all around them, and I'm sure you'll
8 find it very, very empowering as well, and also
9 saddening, "Though our internet is not stable and not
10 consistent, the bill are -- the bill is. It's always
11 consistent."

12 So I urge you to please support your families,
13 your constituents in -- in bettering internet
14 accessibility to your communities.

15 Thank you.

16 ALJ MELVIN: Thank you.

17 Mr. Guzman, a few follow-up questions.

18 Can you tell me what UPAS stands for?

19 SPEAKER GUZMAN: United Parents and Students.

20 ALJ MELVIN: And you indicated that you
21 serve -- this organization serves approximately 10,000
22 families across SoCal, Southern California?

23 SPEAKER GUZMAN: Yes.

24 ALJ MELVIN: Can you kind of identify --

25 SPEAKER GUZMAN: Yeah.

1 Inglewood, Lennox, Watts, South Los Angeles.
2 We also have chapters in Memphis, Tennessee, and
3 Stanford, Connecticut; but mainly we started out of
4 Los Angeles County.

5 ALJ MELVIN: Thank you.

6 SPEAKER GUZMAN: Thank you.

7 And then finally on my list is Chris Miller.

8 Mr. Miller, you may provide a comment; and
9 again, please, be sure to state your name, spell your
10 name before you give your comment.

11 STATEMENT OF SPEAKER MILLER

12 Thank you. My name is Chris Miller, C-h-r-i-s
13 M-i-l-l-e-r.

14 I just wanted to come back up and answer a
15 question that was asked to a previous speaker about if
16 we -- Pasadena Media ever asked for high-definition
17 channels from the providers.

18 The AT&T U-verse product, we stopped asking for
19 HD when they stopped selling the product; but since I
20 got here 11 years ago, I've continually asked for HD
21 from Charter.

22 In December of 2021, they did offer us HD
23 channels and asked if we'd be interested in paying for
24 it. We got some pricing. It was cost-prohibitive and,
25 in our view, it was something that DIVCA promised to us

1 anyway, so we didn't -- we didn't go after it, and I
2 don't know -- I don't have the information if any other
3 community centers have -- have gotten HD from Charter or
4 not.

5 ALJ MELVIN: Thank you very much.

6 SPEAKER MILLER: Thank you for your time.

7 ALJ MELVIN: There appear to be no additional
8 speakers; so with that, what I'd like to do is to close
9 the hearing.

10 I do want to thank everyone who has provided a
11 comment; and I'd like to remind you all that if you
12 would like to provide a written comment, you may do so
13 by going to the Commission's website, typing in the name
14 of the proceeding number, and entering your comment.
15 You can also follow the proceeding that way as well.

16 Again, we want to thank you for coming out
17 today and being with us and providing comments, and I
18 want to give the commissioner's advisor an opportunity
19 to provide any closing comments that he would like to
20 provide before we conclude this hearing.

21 Eamon?

22 MR. NALBAND: I'd just like to thank everyone
23 here for providing comments today; and thank you, Judge
24 Melvin, as well for shepherding it. It was a very
25 insightful and valuable hearing.

1 Thank you.

2 ALJ MELVIN: That concludes the comments
3 portion of the hearing today. Again, thank you for
4 coming, and the hearing is concluded, and we are off the
5 record.

6 (At the hour of 2:08 p.m., this matter having
7 been continued to 5:00 p.m., September 5,
8 2024, the Commission then adjourned.)]

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1 EVENING SESSION - 5:00 P.M.

2 * * * * *

3 ALJ MELVIN: We are on the record. The
4 Commission will come to order.

5 This is the fourth of six public participation
6 hearings pertaining to Rulemaking 23-04-006.

7 Rulemaking 23-04-006 is the Order Instituting Rulemaking
8 Proceeding to Consider Changes to Requirements on Video
9 Franchisees Under the Digital Infrastructure and Video
10 Competition Act and Revisions to General Order 169.

11 My name is Margery Melvin. I'm the assigned
12 ALJ, administrative law judge, for this proceeding.

13 Earlier today, at 1:00 p.m., we had a public
14 participation hearing for this rulemaking. At that
15 time, I provided background information on the
16 proceeding and I provided information on how decisions
17 are made pursuant to the Commission's method for making
18 decisions in proceedings. As such, I will not and do
19 not need to go into the -- the same information again.

20 I am joined by the advisor to Commissioner
21 Karen Douglas, the commissioner assigned to this
22 proceeding, Eamon Nalband; and I'm also joined by
23 Commission staff and an officer. I want to thank
24 everyone for being here and for their support today.

25 As of now, there are no persons who have signed

1 up to provide public comment for this, our fourth public
2 participation hearing. What I'd like to do is to take
3 ten minutes to give persons an additional ten minutes to
4 appear to provide comment; so at this time, what I'd
5 like to do is to take a break, and so we will go off
6 record and return at 5:12 p.m.

7 We are off the record.

8 (Recess taken.)

9 ALJ MELVIN: We're back on the record. We took
10 about ten minutes to see if someone showed up to provide
11 comment, and we don't have any additional persons here
12 to provide public comment.

13 However, I would like to provide some basic
14 information about this proceeding so that anyone who
15 chooses to go onto the Commission staffing card and
16 provide written comment may do so; so let me tell you a
17 little bit about today and what we're doing.

18 This is the fourth of six public participation
19 hearings pertaining to Rulemaking 23-04-006, and that is
20 the Order Instituting Rulemaking Proceeding to Consider
21 Changes to Requirements on Video Franchisees Under the
22 Digital Infrastructure and Video Competition Act and
23 Revisions to General Order 169.

24 My name is Margery Melvin. I'm the assigned
25 administrative law judge for this proceeding.

1 Today, we were to have the fourth public
2 participation hearing giving the public an opportunity
3 to provide feedback on Senate Bill 28, which directs the
4 Commission to adopt customer service requirements for
5 video service franchise holders and to adjudicate
6 customer service complaints regarding franchisees.

7 The proceeding is such that I manage the
8 day-to-day operations and the assigned commissioner,
9 Karen Douglas, makes a decision regarding this
10 proceeding, along with five governor-appointee
11 commissioners.

12 To provide a few basic background details
13 regarding this proceeding, in 2006, DIVCA streamlined
14 the process for cable television franchisee
15 reauthorization, and it authorized the Commission to be
16 the single statewide franchising authority. It
17 established a simplified application process.

18 SB 28 modified DIVCA and requires the
19 Commission now to, as I stated earlier, adapt customer
20 service requirements of a holder of a State franchise
21 and adjudicate customer complaints.

22 For those persons who wish to provide a written
23 comment on this proceeding, you may do so by going onto
24 the Commission's website, typing in the rulemaking for
25 this proceeding, which is R. 23-04-006, going to the

1 area where one would provide public comment, and
2 entering your written comment.

3 In addition, you may follow the proceeding
4 and -- and subscribe to updates on the proceeding by
5 going to the Commission website as well.

6 I want to thank everyone who participated in
7 this hearing by offering support. We have a CHP officer
8 here, as well as Commission staff. In addition, we're
9 joined by the commissioner's advisor, Eamon Nalband.

10 At this time, however, because there are no
11 persons here to provide comment, I'm going to conclude
12 this public participation hearing and thank everyone for
13 their help.

14 The hearing is concluded. We are off the
15 record.

16 (At the hour of 5:17 p.m., this matter having
17 been concluded, the Commission then
18 adjourned.)]

19 * * * * *

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1 BEFORE THE PUBLIC UTILITIES COMMISSION
2 OF THE
3 STATE OF CALIFORNIA
4
5

6 CERTIFICATION OF TRANSCRIPT OF PROCEEDING

7 I, EOANNA KOSTAPAPAS, CERTIFIED SHORTHAND REPORTER
8 NO. 13242, IN AND FOR THE STATE OF CALIFORNIA, DO
9 HEREBY CERTIFY THAT THE PAGES OF THIS TRANSCRIPT
10 PREPARED BY ME COMPRIZE A FULL, TRUE, AND CORRECT
11 TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD IN
12 THIS MATTER ON SEPTEMBER 5, 2024.

13 I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
14 EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.

15 EXECUTED THIS OCTOBER 30, 2024.

20 
21 EOANNA KOSTAPAPAS
22 CSR NO. 13242
23
24
25

1 BEFORE THE PUBLIC UTILITIES COMMISSION
2 OF THE
3 STATE OF CALIFORNIA
4
5

6 CERTIFICATION OF TRANSCRIPT OF PROCEEDING

7 I, RHONDA NORBERG, CERTIFIED SHORTHAND REPORTER
8 NO. 9265, IN AND FOR THE STATE OF CALIFORNIA, DO
9 HEREBY CERTIFY THAT THE PAGES OF THIS TRANSCRIPT
10 PREPARED BY ME COMPRIZE A FULL, TRUE, AND CORRECT
11 TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD IN
12 THIS MATTER ON SEPTEMBER 5, 2024.

13 I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
14 EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.

15 EXECUTED THIS OCTOBER 30, 2024.

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21 Rhonda Norberg
CSR NO. 9265
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