

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298**FILED**

03/20/25

11:46 AM

A2408019

March 20, 2025

**Agenda ID #23383**  
**Ratesetting**

TO PARTIES OF RECORD IN APPLICATION 24-08-019:

This is the proposed decision of Administrative Law Judge Trevor Pratt. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's April 24, 2025 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, *ex parte* communications are prohibited pursuant to Rule 8.2(c)(4).

/s/ ZITA KLINE for

Michelle Cooke

Chief Administrative Law Judge

MLC:jnf

Attachment

Decision PROPOSED DECISION OF ALJ PRATT (mailed 3/20/2025)

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

Application of r2d10 for Registration as  
an Interexchange Carrier Telephone  
Corporation Pursuant to the Provisions  
of Public Utilities Code Section 1013.

Application 24-08-019

**DECISION GRANTING R2D10 LLC A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FIXED  
INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES**

## TABLE OF CONTENTS

Title	Page
DECISION GRANTING R2D10 LLC A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FIXED INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES .....	1
Summary .....	2
1. Background .....	2
2. Submission Date .....	3
3. Issues Before the Commission .....	3
4. Jurisdiction .....	4
5. Proposed Construction and California Environmental Quality Act (CEQA) Compliance .....	5
6. Financial Qualifications .....	6
7. Technical Qualifications .....	7
8. Certification Requirements .....	7
9. Tariffs .....	8
10. Service Territory and Map Requirements .....	9
11. Prior Provision of Services .....	9
12. Safety Considerations .....	12
13. Conclusion .....	12
14. Additional Requirements for Applicants Following Commission's Grant of CPCN .....	14
15. Other Procedural Matters .....	15
16. Summary of Public Comments .....	15
17. Comments on Proposed Decision .....	15
18. Assignment of Proceeding .....	15
Findings of Fact .....	15
Conclusions of Law .....	18
ORDER .....	22

**Attachment A** - Tariff Deficiencies

**Attachment B** - Requirements Applicable To Competitive Local Exchange Carriers, Interexchange Carriers And Fixed Interconnected VoIP Carriers (Carrier)

**Attachment C** - Annual Report

**Attachment D** - Calendar Year Affiliate Transaction Report

**Attachment E** - Surcharge Report

**DECISION GRANTING R2D10 LLC A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FIXED  
INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES**

**Summary**

Pursuant to Public Utilities Code Section 1001, the Commission grants R2D10 LLC (R2D10) a certificate of public convenience and necessity to provide non-facilities-based fixed interconnected Voice over Internet Protocol services subject to the terms and conditions set forth in the Ordering Paragraphs.<sup>1</sup>

R2D10 must remit any past-due public purpose program surcharges for its prior operations, from January 1, 2022, to the issuance date of this decision. R2D10 must also remit a 10 percent late fee for any past due public purpose program surcharges incurred between January 1, 2022, and August 30, 2024, the filing date of this application.

Application 24-08-019 is closed.

**1. Background**

On August 30, 2024, R2D10 LLC (R2D10 or Applicant), a California limited liability company authorized to do business in California filed an application for registration as an Interexchange Carrier Telephone Corporation pursuant to Public Utilities (Pub. Util.) Code Section 1013 with the Commission (Application). After reviewing the Application, it was converted to a certificate of public convenience and necessity (CPCN) pursuant to Pub. Util. Code Section 1001 because the Applicant did not meet the requirements to register

---

<sup>1</sup> While this application was filed pursuant to Pub. Util. Code Section 1013, an expedited and ministerial registration process, the determination that it did not qualify for the registration process and resulting assignment to an Administrative Law Judge (ALJ) removed it from the registration track. It has therefore been evaluated as a CPCN under Pub. Util. Code Section 1001.

with the Commission pursuant to Pub. Util. Code Section 1013 on November 13, 2024.

R2D10 proposes to provide fixed interconnected VoIP services to businesses, primarily non-profit organizations.

R2D10's principal place of business is located at 337 Mississippi St., San Francisco, California, 94107.

On December 5, 2024, the assigned Administrative Law Judge (ALJ) issued a Ruling Requesting Additional Information, to which Applicant served but did not file a response on December 9, 2024. The assigned ALJ added the response to the record via ruling on December 20, 2024.

A prehearing conference (PHC) was held on December 10, 2024, to address issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. At the PHC, R2D10 noted that they have collected, but not paid, public purpose surcharges since they began operating. R2D10 also noted that, with this Application, they are seeking to pay the past public purpose surcharges but cannot access the Telecommunications & User Fees Filing System to pay the surcharges without a valid utility number, which can be obtained through approval of a CPCN. A Scoping Memo and Ruling was issued by Commissioner Matthew Baker on January 28, 2025.

## **2. Submission Date**

This matter was submitted on January 28, 2025, upon issue date of the scoping memo and ruling.

## **3. Issues Before the Commission**

The issues in this proceeding are as follows:

1. Whether R2D10 meets all of the Commission requirements, including but not limited to financial, technical, and

California Environmental Quality Act (CEQA) requirements for a CPCN.

2. Whether R2D10 has paid its past public purpose surcharge obligations as of the date of its operations.

#### **4. Jurisdiction**

The Commission has broad jurisdiction over “public utilities,”<sup>2</sup> as defined in Pub. Util. Code Section 216.<sup>3</sup> California’s constitution extends the Commission’s jurisdiction to companies engaged in “the transmission of telephone and telegraph messages,” which includes both public utility services and facilities.<sup>4</sup> The Commission classifies entities providing two-way voice communications service for compensation within California as “telephone corporations”<sup>5</sup> and regulates them as public utilities.<sup>6,7</sup>

As part of its regulatory authority over “telephone corporations,” the Commission authorizes certificates of public convenience and necessity to “telephone corporations” seeking to construct a “line, plant, or system, or any extension thereof” in California.<sup>8</sup> Pub. Util. Code Section 233 defines a “telephone line” to include “all conduits, ducts, poles, wires, cables, instruments, and appliances, and other real estate, fixtures, and personal property owned or controlled, operated, or managed in connection with or to facilitate communication by telephone, whether such communication is had with or

---

<sup>2</sup> Pub. Util. Code § 216.

<sup>3</sup> Pub. Util. Code § 234.

<sup>4</sup> See D.20-07-011, at 14-15, See Cal. Const., Art. XII, §§ 1-6; Pub. Util. Code § 701.

<sup>5</sup> Pub. Util. Code §§ 216, 233, 234; D.22-10-021 at 68.

<sup>6</sup> Pub. Util. Code § 216(a).

<sup>7</sup> Telephone corporations are required to file annual affiliate transaction reports, and pay surcharges and user fees.

<sup>8</sup> Pub. Util. Code § 1001.

without the use of transmission wires.” This includes services delivered over any technology, including but not limited to, traditional copper lines, coaxial cable, fiber optic cable, and mobile or fixed wireless radios.

Providers of voice services, including local exchange carriers, interexchange carriers, and interconnected Voice over Internet Protocol (VoIP) service providers, are telephone corporations subject to the Commission’s jurisdiction.<sup>9</sup> Providers of local exchange, interexchange, and fixed interconnected VoIP services must obtain a CPCN or 1013 registration license to operate in California.<sup>10</sup> Providers of only nomadic interconnected VoIP are subject to the Commission’s jurisdiction for rules of general applicability and preempted from licensing requirements that act as barriers to market entry; these providers must obtain a nomadic registration to operate in California.<sup>11</sup>

R2D10 proposes to provide non-facilities-based fixed interconnected VoIP services to businesses, mainly non-profit organizations. R2D10 is a telephone corporation and a public utility subject to the Commission’s jurisdiction.

##### **5. Proposed Construction and California Environmental Quality Act (CEQA) Compliance**

Applicant proposes to provide non-facilities-based service. Pursuant to CEQA<sup>12</sup> and Rule 2.4 of the Commission’s Rules of Practice and Procedure (Rules), the Commission acts as the designated lead agency to consider the environmental consequences of projects that are subject to the Commission’s approval to determine any potential environmental impacts, to avoid adverse

---

<sup>9</sup> Pub. Util. Code §§ 216, 233, 234; D.22-10-021 at 68; D.24-11-003 at 003.

<sup>10</sup> D.24-11-003.

<sup>11</sup> *Ibid.*

<sup>12</sup> Public Resources Code § 21000 *et seq.*

effects, investigate alternatives, and ensure that any affected environmental impact is restored or otherwise mitigated to the fullest extent possible under CEQA. Since R2D10 states that it does not intend to construct any facilities, it can be seen with certainty that there is no possibility that granting this application will have an adverse impact upon the environment.<sup>13</sup> Before it can construct facilities, R2D10 must file for additional authority and submit to any necessary CEQA review.

Granting this CPCN will benefit the public interest by expanding the availability of technologically advanced telecommunications services within the state.

## **6. Financial Qualifications**

To be granted a CPCN for authority to provide non-facilities-based services, a new applicant must demonstrate that it has a minimum of \$25,000 cash or cash equivalent, reasonably liquid and readily available to meet the firm's start-up expenses.<sup>14</sup> In the application, R2D10 provided unaudited bank statements showing it had at least \$25,000. Since R2D10 has provided documentation that it possesses a minimum of \$25,000 that is reasonably liquid and available, it demonstrated that it has sufficient funds to meet its start-up expenses and fulfilled this requirement. R2D10's financial documentation will be subject to verification and review by the Commission for one year to ensure that such funds are available. Accordingly, R2D10 must demonstrate that it has maintained at least \$25,000 that was reasonably liquid and available for its first year of operations by providing the Commission's Communications Division

---

<sup>13</sup> See D.99-10-025; D.24-11-003.

<sup>14</sup> The financial requirement for CLECs, NDIECs, and fixed interconnected VoIP providers is contained in D.24-11-003, Appendix F.



with a confidential copy of its updated financial documentation at both six and 12 months from the issuance date of this decision by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov).

In addition to demonstrating financial fitness, R2D10 must also demonstrate it has an additional \$25,000 available for deposits to interconnect with local exchange carriers. Since R2D10 provided documentation of its ability to pay deposits in its application, it has met its deposit requirement.<sup>15</sup>

## **7. Technical Qualifications**

To be granted a CPCN for authority to provide fixed interconnected VoIP, an applicant must make a reasonable showing of managerial and technical expertise in telecommunications or a related business.<sup>16</sup> R2D10 supplied biographical information on its management in its application that demonstrates it has sufficient expertise and training to operate as a telecommunications provider.<sup>17</sup>

## **8. Certification Requirements**

In its application, R2D10 verified that no one associated with or employed by R2D10 as an affiliate, officer, director, partner, or owner of more than 10 percent of R2D10, or anyone acting in a management capacity for R2D10 has:

- (a) held one of these positions with a company that filed for bankruptcy;
- (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others;
- (c) been convicted of a felony;
- (d) been (to his/her knowledge) the subject of a criminal referral by judge or public agency;
- (e) had a telecommunications license or operating authority

---

<sup>15</sup> Application 24-08-019 Attachment 2 at 1.

<sup>16</sup> D.95-12-056 at Appendix C, Rule 4.A as modified by D.13-05-035 and D.24-11-003.

<sup>17</sup> Application 24-08-019 Attachment 1 at 4-8.

denied, suspended, revoked, or limited in any jurisdiction; (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of [Sections] 17000 *et seq.*, [Sections] 17200 *et seq.*, or [Sections] 17500 *et seq.* of the California Business & Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; or (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or (h) entered into any settlement agreements or made any voluntary payments or agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general.<sup>18</sup>

Also, to the best of R2D10's knowledge, neither R2D10, nor any affiliate, officer, director, partner, nor owner of more than 10 percent of R2D10, or any person acting in such capacity whether or not formally appointed, is being, or has been investigated by the Federal Communications Commission or any law enforcement or regulatory agency for failure to comply with any law, rule or order.<sup>19</sup> For the foregoing reasons, this decision finds that R2D10 is in compliance with the requirements of Decision (D.) 13-05-035 and D.24-11-003.

## **9. Tariffs**

CLECs, IECs, and fixed interconnected VoIP providers requesting detariffed status may be exempt from the requirement to file tariffs provided they do not provide basic service as defined by D.12-12-038 and comply with the consumer protection rules identified in D.98-08-031. R2D10 indicated it will not offer services that require a tariff or schedule and therefore detariffed status is granted.

---

<sup>18</sup> These certifications are required by D.13-05-035, OP 14; D.24-11-003.

<sup>19</sup> *Ibid.*

In the future, if R2D10 decides to offer services that require a tariff or schedule, such as basic service, Applicant must submit proposed tariffs and/or user guides to the Commission's Communications Division by Tier 2 Advice Letter using the General Order (GO) 96-B advice letter process at least 30 days before initiation of service.<sup>20</sup>

#### **10. Service Territory and Map Requirements**

R2D10 proposes to provide service throughout California. When service is provided in small LEC territories, CLECs and fixed interconnected VoIP providers are required to comply with applicable rules set in D.20-08-011, as extended to VoIP providers in D.24-11-003. Since R2D10 proposes to provide fixed interconnected VOIP services throughout California, R2D10 is subject to the applicable requirements in D.20-08-011.

#### **11. Prior Provision of Services**

R2D10 indicates that it has been operating as an interconnected VoIP provider in California since January 2022. While the Commission may otherwise impose a penalty on a carrier's prior unlicensed provision of service, the Commission will forgo a penalty for R2D10 for its prior operations because the application was filed while the Commission was still deliberating the licensing obligations of VoIP carriers in Rulemaking (R.) 22-08-008. On November 7, 2024, the Commission issued D.24-11-003, establishing a framework for interconnected VoIP providers, and opened a second phase of the R.22-08-008 to consider remaining issues. Foregoing a penalty for prior provision of interconnected VoIP service is also consistent with the 180-day grace period granted in D.24-11-003 for

---

<sup>20</sup> D.12-12-038.

interconnected VoIP providers to come into compliance with licensing and registration requirements.<sup>21</sup>

Between January 1, 2022, and the present, R2D10 also earned intrastate revenue from customers subject to surcharge assessments. Pub. Util. Code Section 285 (Assembly Bill 841, Stats. 2011, Ch. 685), mandates that the Commission require interconnected VoIP service providers to collect and remit surcharges in support of state universal service funds in support of the following public purpose programs:

- a. California High-Cost Fund-A Administrative Committee Fund under Pub. Util. Code Section 275.
- b. California High-Cost Fund-B Administrative Committee Fund under Pub. Util. Code Section 276.
- c. Universal Lifeline Telephone Service Trust Administrative Committee Fund under Pub. Util. Code Section 277.
- d. Deaf and Disabled Telecommunications Program Administrative Committee Fund under Pub. Util. Code Section 278.
- e. California Teleconnect Fund Administrative Committee Fund under Pub. Util. Code Section 280.
- f. California Advanced Services Fund under Pub. Util. Code Section 281.17 17 Pub. Util. Code § 285(c).

Effective April 1, 2023, all telephone corporations, including VoIP carriers operating in California, are required to assess, collect, and remit California's public purpose program surcharges pursuant to the access line flat rate surcharge mechanism adopted in D.22-10-021. Surcharges apply only to public purpose program surcharges imposed on end-use customers' "place of primary use" that is located within California.

---

<sup>21</sup> D.24-11-003 at 42.

Carriers are assessed interest at an annual rate of 10 percent accrued interest for late remittance of public purpose program surcharges owed to the Commission. R2D10 must remit any past-due public purpose program surcharges owed for its prior operation of intrastate, interconnected VoIP service from January 1, 2022 to the issuance date of this decision by providing the Commission's Communication's Division with a summary of: (1) its monthly intrastate revenues from January 1, 2022 to March 31, 2023, and (2) the monthly number of active access lines from April 1, 2023 to the issuance date of the decision. This information should be sent with the subject line "Surcharge Prior to CPCN Approval Per [Insert Decision Number here, e.g. D.25-XX-XXX], A.24-08-019" by sending one email to both [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov) and [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), within 30 days of the issuance date of this decision.

R2D10 is subject to the obligation to pay late fees on past due surcharges. However, R2D10's obligation to remit 10 percent interest of past-due surcharges is waived for the period following the filing date of R2D10's application in acknowledgement of the Applicant's good faith effort to come into compliance with the Commission's requirements by requesting a registration pursuant to Pub. Util. Code Section 1013.

While providers of resold interexchange service are required to pay past-due user fees, this decision waives past-due user fees in recognition of the Commission's deliberation of licensing obligations for VoIP carriers in R.22-08-008 and D.21-03-002, and is consistent with D.24-11-003.

The Commission's Communications Division staff is authorized to calculate the past due public purpose program surcharges and late fees owed by R2D10. R2D10 will, within 30 days of its receipt of the total amount owed for public purpose program surcharges and interest from the Commission's

Communications Division, submit one cashier's check or money order payable to the California Public Utilities Commission for payment of the total amount owed either by mail or in-person delivery to: Commission's, Fiscal Office, Room 3000, 505 Van Ness Avenue, San Francisco, CA 94102. R2D10 must include a written identification stating the decision number and the application number, such as the following: "Per Decision [enter decision number here] of A.23-04-013."

R2D10 will email the Commission's Communications Division of payment made at telcosurcharge@cpuc.ca.gov. Failure to remit past-due surcharges and interest owed within 90 days of the payment deadline will result in additional collections or enforcement action against R2D10.

## **12. Safety Considerations**

With the adoption of the *Safety Policy Statement of the California Pub. Util. Commission* on July 10, 2014, the Commission has, among other things, heightened its focus on the potential safety implications of every proceeding. The Commission considered the potential safety implications here and is satisfied that R2D10 will meet the Commission's minimum safety goals and expectations of VoIP providers because: (1) R2D10 has taken steps to meet the financial requirements as set forth in this decision for a non-facilities-based VoIP provider, and (2) R2D10 is a public utility that is required pursuant to Pub. Util. Code Section 451 to "... furnish and maintain such adequate, efficient, just and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities ... as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

## **13. Conclusion**

R2D10's application conforms with the Commission's rules for certification as a non-facilities-based fixed interconnected VoIP provider. Accordingly, the

Commission grants R2D10's CPCN to provide non-facilities-based fixed interconnected VoIP services throughout California subject to compliance with the terms and conditions set forth in the Ordering Paragraphs (OPs).

The CPCN granted by this decision provides benefits to R2D10 and corresponding obligations. R2D10 receives authority to operate in the prescribed service territory, and this authority enables R2D10, pursuant to Section 251 of the 1934 Communications Act, as amended by the 1996 Telecommunications Act (47 United States Code Section 251), to interconnect with telecommunications carriers.<sup>22</sup>

In return, R2D10 is obligated to comply with all Pub. Util. Code provisions, Commission rules, GOs, and decisions applicable to telephone corporations providing approved services. The applicable statutes, rules, GOs, and decisions include, but are not limited to consumer protection rules, tariffing, and reporting requirements. Moreover, R2D10 is obligated to pay all Commission prescribed user fees and public purpose program surcharges as set forth in the Appendix B of this decision, to comply with CEQA, and to adhere to Pub. Util. Code Section 451 which states that every public utility "...shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities, as defined in Section 54.1 of the Civil Code, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public." Granting this application will benefit the public interest by expanding the availability of technologically advanced telecommunications services within the state.

---

<sup>22</sup> The California Pub. Util. Code uses the term "telephone corporation." Its counterpart in federal law is a "telecommunications carrier."

**14. Additional Requirements for Applicants Following Commission's Grant of CPCN**

The CPCN granted in this decision is contingent upon R2D10's compliance with several requirements: (1) rendering service to customers within 12 months from the effective date of this decision; (2) using its assigned corporate identification number in the caption of all original filings with the Commission; (3) filing in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision; (4) providing the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the Commission's Communications Division within five days of written acceptance of its certificate; (5) providing the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving consumer complaints to the Commission's Consumer Affairs Branch within five days of written acceptance of its certificate; (6) submitting a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond within 30 days of the effective date of this decision; (7) submitting its compliance with Pub. Util. Code Section 708, Employee Identification Cards, to the Commission's Director of the Communications Division, in writing, by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), within 60 days of the effective date of this decision; (8) if applicable, providing the date that competitive local exchange service is first rendered to the public, to the Commission's Director of the Communications Division, in writing, by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), no later than 5 days after the first provision of service. These requirements are in addition to R2D10's ongoing obligation to be subject to all the current *Requirements Applicable To Competitive Local Exchange Carriers, Interexchange Carriers and Fixed Interconnected Voice Over Internet Providers* included in Attachments B, C, and D to this decision (including annual



affiliate transaction reports, ongoing performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in GO 168; and all applicable Commission rules, decisions, GOs, and statutes that pertain to California public utilities on an ongoing basis.

**15. Other Procedural Matters**

All rulings by the assigned Commissioner and the assigned ALJ are affirmed. All pending motions are deemed denied.

**16. Summary of Public Comments**

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the “Public Comment” tab of the online Docket Card for that proceeding on the Commission’s website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

No public comments have been posted on the Docket Card.

**17. Comments on Proposed Decision**

The proposed decision of ALJ Trevor Pratt in this matter was mailed to the parties in accordance with Pub. Util. Code Section 311 and comments were allowed under Rule 14.3 of the Commission’s Rules of Practice and Procedure. Comments were filed on \_\_\_\_\_, and reply comments were filed on \_\_\_\_\_ by \_\_\_\_\_.

**18. Assignment of Proceeding**

Matthew Baker is the assigned Commissioner and Trevor Pratt is the assigned ALJ in this proceeding.

**Findings of Fact**

1. R2D10 is a limited liability company authorized to do business in California.

2. R2D10's principal place of business is 337 Mississippi St., San Francisco, California, 94107.

3. R2D10 proposes to provide fixed interconnected VoIP services.

4. R2D10 will not construct any facilities.

5. Granting this CPCN will expand the availability of technologically advanced telecommunications services within the state.

6. R2D10 has a minimum of \$25,000 of cash or cash equivalent that is reasonably liquid and readily available to meet its start-up expenses.

7. R2D10 has an additional \$25,000 to cover deposits that may be required by other telephone corporations in order to provide the proposed service.

8. R2D10's management possesses sufficient experience, knowledge, and technical expertise to provide fixed interconnected VoIP services to the public.

9. No one associated with or employed by R2D10 as an affiliate, officer, director, partner, agent, or owner (directly or indirectly) of more than 10 percent of R2D10, or anyone acting in a management capacity for R2D10: (a) held one of these positions with a company that filed for bankruptcy; (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; (c) been convicted of a felony; (d) been the subject of a criminal referral by judge or public agency; (e) had a telecommunications license or operating authority denied, suspended, revoked, or limited in any jurisdiction; (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of Section 17000 *et seq.*, Section 17200 *et seq.*, or Section 17500 *et seq.* of the California Business & Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to

disclose, or misrepresentations to consumers or others; (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or (h) entered into any settlement agreements or made any voluntary payments or agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general.

10. To the best of R2D10's knowledge, neither R2D10, or any affiliate, officer, director, partner, nor owner of more than 10 percent of R2D10, or any person acting in such capacity whether or not formally appointed, is being, or has been investigated by the FCC or any law enforcement or regulatory agency for failure to comply with any law, rule or order.

11. R2D10 requested and is eligible for exemption from tariffing requirements and must observe the consumer protection rules adopted in D.98-08-031 and D.24-11-003.

12. R2D10 proposes to operate throughout California.

13. R2D10 will meet the Commission's minimum safety goals.

14. R2D10 started providing regulated telecommunications service in California without Commission authority in January 2022.

15. Between January 1, 2022, and the present, R2D10 provided telecommunications service in California without authority, pursuant to Pub. Util. Section 1001.

16. Between January 1, 2022, and the present, R2D10 earned intrastate revenue from customers subject to surcharge assessments and user fees.

17. Between January 1, 2022, and the present, R2D10 accrued 10 percent interest on PPP surcharges and user fees owed pursuant to GO 153.

18. R2D10 did not distinguish any information filed as part of this application as confidential.

**Conclusions of Law**

1. R2D10 should be granted a CPCN to provide non-facilities-based fixed interconnected VoIP services throughout California, subject to the terms and conditions set forth in this decision.

2. R2D10 is a telephone corporation and a public utility as defined in Pub. Util. Code Sections 234(a) and 216(a).

3. R2D10 should be granted non-facilities-based fixed interconnected VoIP operating authority and may not construct any facilities, including equipment in existing buildings or structures.

4. Granting R2D10 a CPCN is in the public interest.

5. R2D10 meets the financial requirements for a CPCN pursuant to D.24-11-003.

6. R2D10 should demonstrate that it maintained at least \$25,000 that was reasonably liquid and available for its first year of operations by providing the California Public Utilities Commission's Communications Division with a confidential copy of its updated financial documentation at both six and 12 months from the issuance date of this decision by providing updated bank statements within eight and 14 months, respectively, as an information-only submittal by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov).

7. R2D10 meets the technical managerial requirements for a CPCN pursuant to D.13-05-013 and D.24-11-003.

8. R2D10 meets the certification requirements for a CPCN pursuant to D.13-05-013 and D.24-11-003.

9. R2D10 should pay all past-due PPP surcharges and user fees owed on intrastate revenues earned on its telecommunications service provided between January 1, 2022, and the effective date of this decision.

10. R2D10 should pay 10 percent interest on past-due PPP surcharges and user fees owed and accrued between January 1, 2022, and August 30, 2024, the filing date of R2D10's application for a registration.

11. R2D10 should provide the Commission's Communications Division (CD) with a summary of: (1) its monthly intrastate revenues from January 1, 2022, to March 31, 2023, and (2) the monthly number of active access lines from April 1, 2023, to the effective date of the decision. This information should be sent with the subject line "Surcharge Prior to CPCN Approval Per [Insert Decision Number here, e.g., D.25-XX-XXX], A.24-08-019" by sending one e-mail to both [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov) and [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) within 30 days of the issuance date of this decision.

12. CD should be authorized to calculate the amount owed by R2D10 for PPP surcharges, user fees, and late fees owed for telecommunications services provided between January 1, 2022, and the present using the surcharge mechanism applicable at the time the surcharge was incurred.

13. R2D10 should, within 30 days of its receipt of the total amount owed for PPP surcharges, user fees, and interest/penalties from CD, submit one cashier's check or money order payable to the California Public Utilities Commission for payment of the total amount owed either by mail or in person delivery to: California Public Utilities Commission, Fiscal Office, Room 3000, 505 Van Ness Avenue, San Francisco, CA 94102. R2D10 should include a written identification stating the decision number and the application number, such as the following: "Per Decision [enter decision number here] of A.24-08-019." R2D10 will email CD of payment made at [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov).

14. Failure to remit past due surcharges and interest owed within 90 days of the payment deadline should result in additional collections or enforcement action against R2D10.

15. R2D10 should be exempt from tariffing. In the future, if R2D10 decides to offer services that require a tariff or schedule, such as basic service, Applicant should submit proposed tariffs and/or user guides to the Commission's Communications Division via Tier 2 Advice Letters using the GO 96-B advice letter process at least 30 days before initiation of service.

16. The certificate granted, and the authority for R2D10 to render service to customers under the rates, charges, and rules authorized, should expire if not exercised, by offering or actively providing service on a wholesale and/or resale basis, after 12 months from the effective date of this decision. R2D10 should be responsible for seeking approval for an extension of time to comply with this decision pursuant to Rules of Practice and Procedure Rule 16.6.

17. The R2D10 should be assigned utility identification number U7468C and should be responsible for using this as its corporate identification number in the caption of all original filings with this Commission, in the titles of other pleadings filed in existing cases, and informal submissions to the Commission.

18. R2D10 should file in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision. The written acceptance filed in this docket does not reopen the proceeding.

19. R2D10 should provide the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the California Public Utilities Commission's Communications Division within five days of written acceptance of its certificate.

20. R2D10 should provide the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving consumer complaints to the California Public Utilities Commission's Consumer Affairs Branch within five days of written acceptance of its certificate.

21. R2D10 should submit a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond in accordance with the process established in D.10-09-017/D.11-09-026 and modified by D.13-05-035 and Decision 24-11-003 to the California Public Utilities Commission's Communications Division within 30 days of the effective date of this decision.

22. R2D10 should submit its compliance with Pub. Util. Code Section 708, Employee Identification Cards, to the California Public Utilities Commission's Director of the Communications Division, in writing, by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), within 60 days of the effective date of this decision.

23. R2D10 should be subject to all the current requirements applicable to fixed interconnected VoIP providers included in Attachments B, C, and D to this decision (including annual affiliate transaction reports, ongoing performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in GO 168; and all applicable California Public Utilities Commission rules, decisions, GOs, and statutes that pertain to California public utilities on an ongoing basis.

24. All rulings by the assigned Commissioner and the assigned ALJ should be affirmed.

25. All pending motions should be deemed denied.

26. This proceeding should be closed.

**O R D E R**

**IT IS ORDERED** that:

1. A Certificate of Public Convenience and Necessity is granted to R2D10 LLC to provide non-facilities-based fixed interconnected Voce over Internet Protocol services throughout California subject to the terms and conditions set forth in this decision.
2. R2D10 LLC may not construct any facilities, including equipment in existing buildings or structures.
3. R2D10 LLC must demonstrate that it maintained at least \$25,000 that was reasonably liquid and available for its first year of operations by providing the California Public Utilities Commission's Communications Division with a confidential copy of its updated financial documentation at both six and 12 months from the issuance date of this decision by providing updated bank statements within eight and 14 months, respectively, as an information-only submittal by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov).
4. R2D10 LLC may operate on a detariffed basis. In the future, if R2D10 LLC decides to offer services that require a tariff or schedule, such as basic service, Applicant must submit proposed tariffs and/or user guides to the California Public Utilities Commission's Communications Division via a Tier 2 Advice Letter using the General Order 96-B process at least 30 days before initiation of service.
5. R2D10 LLC must remit public purpose program surcharges, user fees, and interest/penalties owed to the California Public Utilities Commission in accordance with the established methodology in effect at the time the surcharges and user fees were accrued, along with accrued interest on late remittance of past-due surcharges and user fees prior to the filing date of this application.



6. R2D10 LLC shall pay 10 percent interest on past-due Public Purpose Program surcharges and user fees owed and accrued between January 1, 2022, and August 30, 2024, the filing date of R2D10 LLC's application for a registration.

7. Within 30 days of the effective date of this decision, R2D10 LLC must provide the California Public Utilities Commission's Communications Division with a summary of: (1) its monthly intrastate revenues from January 1, 2022 to March 31, 2023 and (2) the monthly number of active access lines from April 1, 2023 to the effective date of this decision by emailing [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov) and copying [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) in the communication. R2D10 LLC will provide this information by completing the form included as Attachment E.

8. The California Public Utilities Commission's Communications Division is authorized to calculate the public purpose program surcharges owed by R2D10 LLC between January 1, 2022, and the issuance date of this decision, along with any interest owed between January 1, 2022, and August 30, 2024, for late remittance of past-due surcharges and user fees to the filing date of this application.

9. R2D10 LLC will, within 30 days of its receipt of the total amount owed for public purpose program surcharges and interest from the California Public Utilities Commission's Communications Division (CD), send one cashier's check or money order for payment of the total amount owed to: California Public Utilities Commission, Fiscal Office, Room 3000, 505 Van Ness Avenue, San Francisco, CA 94102. R2D10 LLC will include a written identification stating the decision number and the application number, such as the following: "Per Decision [enter decision number here] Ordering Paragraph 9 of A.24-08-019." R2D10 LLC will inform the CD that payment has been made within one day of

emailing or otherwise submitting payment by e-mail to [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov).

10. R2D10 LLC shall be subject to additional collections or enforcement action in the event it fails to pay the past-due public purpose program surcharges and interest owed within 90 days of the payment deadline.

11. The certificate granted, and the authority for R2D10 LLC to render service to customers under the rates, charges, and rules authorized, will expire if not exercised, by offering or actively providing service on a wholesale and/or resale basis, after 12 months from the effective date of this decision. R2D10 LLC is responsible for seeking approval for an extension of time to comply with this decision pursuant to Rules of Practice and Procedure Rule 16.6.

12. R2D10 LLC is assigned utility identification number U7468C and is responsible for using this as its corporate identification number in the caption of all original filings with the California Public Utilities Commission (Commission), in the titles of other pleadings filed in existing cases, and informal submissions to the Commission.

13. R2D10 LLC must file in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision. The written acceptance filed in this docket does not reopen the proceeding.

14. R2D10 LLC must provide the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the California Public Utilities Commission's Communications Division within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information.

15. R2D10 LLC must provide the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving

consumer complaints to the California Public Utilities Commission's Consumer Affairs Branch within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information.

16. R2D10 LLC must submit a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond in accordance with the process established in Decision (D.) 10-09-017/D.11-09-026 and modified by D.13-05-035 and D.24-11-003 to the California Public Utilities Commission's Communications Division within 30 days of the effective date of this decision. Refer to Attachment B for additional information on annual performance bond requirements.

17. R2D10 LLC must submit its compliance with Public Utilities Code Section 708, Employee Identification Cards, to the California Public Utilities Commission's Director of the Communications Division, in writing, by email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), within 60 days of the effective date of this decision.

18. R2D10 LLC is subject to all the current requirements applicable to non-facilities-based fixed interconnected Voice Over Internet Protocol providers included in Attachments B, C, and D to this decision (including annual affiliate transaction reports, ongoing performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in General Order (GO) 168; and all applicable California Public Utilities Commission rules, decisions, GOs, and statutes that pertain to California public utilities on an ongoing basis.

19. All rulings by the assigned Commissioner and the assigned Administrative Law Judge are affirmed.

20. All pending motions are deemed denied.

21. Application 24-08-019 is closed.

This decision is effective today.

Dated \_\_\_\_\_, at Sacramento, California

# ATTACHMENT A

**ATTACHMENT A**  
**TARIFF DEFICIENCIES**

*This Attachment is Intentionally Left Blank*

**(END OF ATTACHMENT A)**

## **ATTACHMENT B**

**ATTACHMENT B**  
**REQUIREMENTS APPLICABLE TO COMPETITIVE LOCAL EXCHANGE  
CARRIERS, INTEREXCHANGE CARRIERS AND FIXED  
INTERCONNECTED VOIP CARRIERS (Carrier)**

1. Carrier is subject to all the current applicable California Public Utilities Commission (CPUC or Commission) rules, decisions, General Orders, and statutes that pertain to California public utilities and telephone corporations on an ongoing basis.

2. Carrier is responsible for rendering services to customers under the rates, charges and rules authorized by the Commission within 12 months from the date of the decision. Rendering services may include but are not limited to offering and/or actively providing services to its customers on a wholesale and/or resale basis.

3. Carrier is responsible for keeping all contact information up to date with the Commission. Changes to its primary regulatory and/or complaint contact information must be provided electronically, using the "Contact Information Request Update" form at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone> under Service Provider Requirements and Programs. Carrier is responsible for updating this information within 30 days of the change, or at least annually by June 1 of each calendar year.

4. Carrier is subject to California public purpose program surcharges and user fees. Pursuant to Decision (D.) 22-10-021, all telephone corporations operating in California must assess, collect, report and remit public purpose program surcharges based on the number of active access lines. For definition of access line, see Section 5.2.2 of D.22-10-021. The surcharge funds the following California public purpose programs:



- a. The Universal Lifeline Telephone Service Trust Administrative Committee Fund (Pub. Util. Code § 277);
- b. The California Relay Service and Communications Devices Fund (Pub. Util. Code § 2881; D.98-12-073);
- c. The California High Cost Fund-A (Pub. Util. Code § 275.6); D.96-10-066, at 3-4, App. B, Rule 1.C);
- d. The California High Cost Fund-B (Pub. Util. Code § 276.5), D.96-10-066, at 191, App. B, Rule 6.F.; D.07-12-054);
- e. The California Advanced Services Fund (Pub. Util. Code § 281; D.07-12-054); and
- f. The California Teleconnect Fund (Pub. Util. Code § 280; D.96-10-066, at 88, App. B, Rule 8.G).

User Fees must be assessed and collected based on intrastate telecommunications revenues. The User Fee funds the CPUC's annual operating budget for regulating the telecommunications corporations under its jurisdiction (Pub. Util. Code §§ 431-435).

5. Carrier is responsible for obtaining guidance and directive from the Commission's Communications Division for timely reporting and remitting of public purpose program surcharges and the user fees through the Commission's proprietary Telecommunications and User Fee Filing System (TUFFS).

Additional information about telecommunications surcharges and user fees is available from the CPUC website: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees>.

6. Carrier is responsible for timely and accurately reporting its number of access lines and remitting the resulting public purpose program surcharges through TUFFS even if there is zero access line to report and zero resulting surcharges to remit. Carriers that report and/or remit surcharge funds after the due date will be charged a penalty equal to an annual rate of 10 percent. Send an

email to [Telcosurcharge@cpuc.ca.gov](mailto:Telcosurcharge@cpuc.ca.gov) for questions related to surcharges and access to TUFFS. Current and historical surcharge rates can be found at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees/surcharge-rates>.

7. Carrier is responsible for timely and accurately reporting and remitting the user fees based on a standard user fee remittance rate applied to the gross intrastate revenue or an annual minimum user fee of \$100, whichever is greater. The user fee remittance rate is determined annually by the Commission and posted on the Commission's webpage. The reporting and remittance of user fees must be through TUFFS within 15 days after the end of each calendar quarter (March 31, June 30 and September 30, and December 31) or January 15 due date for those paying the annual minimum user fee of \$100. TUFFS will automatically adjust the minimum user fee amount due to \$100 when the annual gross intrastate revenue is zero or less than the annual minimum user fee of \$100. Under Pub. Util. Code Section 405, carriers that are in default of reporting and submitting user fees more than 30 days after the quarterly user fee payment due dates of April 15, July 15, October 15, and January 15, or more than 30 days after the January 15 due date for those utilities paying the annual minimum user fee of \$100, will be subject to automatic penalties including suspension or revocation of their authority to operate in California. Send an email to [userfees@cpuc.ca.gov](mailto:userfees@cpuc.ca.gov) for questions related to user fees. Current and historical user fee rates can be found at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees/user-fee-rates>.

8. In compliance with Resolution T16901, December 2, 2004, Carrier is responsible for checking the joint tariff for public purpose program surcharges and user fees filed by Pacific Bell Telephone Company dba AT&T California and

apply the current public purpose program surcharges and user fees amounts in that joint tariff on end user bills until further revised.

9. Carrier is responsible for ensuring that its tariff filings reflect all surcharges and fees to which it is subject to, as identified above.

10. If Carrier is a competitive local exchange carrier, the effectiveness of its future competitive local exchange carrier tariffs is subject to the requirements of General Order 96-B and the Telecommunications Industry Rules (D.07-09-019).

11. If Carrier is a non-dominant interexchange carrier, the effectiveness of its future non-dominant interexchange carrier tariffs is subject to the requirement of General Order 96-B and the Telecommunications Industry Rules (D.07-09-019).

12. Carrier providing competitive local exchange service is responsible for submitting a service area map as part of its initial tariff filed via Advice Letter to the Communications Division.

13. Carrier is responsible for submitting a copy of its complete tariff in use to the California Public Utilities Commission's Director of the Communications Division, by e-mail to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov), in compliance with Public Utilities Codes Section 489(a), no later than February 15 of each year. If Carrier is de-tariffed, it is responsible for providing an annual certification that it is granted exemption from tariff filing or is a de-tariffed carrier and identify the authorization granting such status.

14. Carrier is responsible for obtaining a performance bond of at least \$25,000 in accordance with Decision 13-05-035 and D.24-11-003. Within 30 calendar days after the effective date of CPCN authority, carrier is required to submit a Tier-1 advice letter to the Director of the Communications Division with a copy of the license holder's executed bond. The performance bond must be a continuous bond (*i.e.*, there is no termination date on the bond) issued by a corporate surety company authorized to transact surety business in California, and the

Commission must be listed as the obligee on the bond. Pursuant to Decision 13-05-035, the Commission must revoke a certificate of public convenience and necessity if a carrier is more than 120 days late in providing the Communications Division a copy of its executed performance bond and the carrier has not been granted an extension of time by the Communications Division.

15. Carrier is required to submit a Tier-1 Advice Letter on an annual basis, no later than March 31 of each year, with a copy of the executed performance bond. Carrier is responsible for ensuring that its performance bond does not lapse during any period of its operation. Additional information regarding performance bond requirement is available at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/performance-bond-requirements>.

16. Carrier is responsible for ensuring that its employees comply with the provisions of Pub. Util. Code Section 2889.5 regarding solicitation of customers.

17. If Carrier is 90 days or more late in complying with its reporting obligations to the Commission including but not limited to filing its annual reports (e.g., Operations and Financials, and Affiliated Transaction Reports), submitting Performance Bonds, reporting and remitting surcharges and user fees; and has not received written permission from the Commission or Communications Division to file or remit late, the Communications Division may issue a citation pursuant to Resolution T-17601. Failure to comply with the issued citation or timely appeal the citation may result in a revocation of the company's operating authority and/or a referral to the Commission's Consumer Protection and Enforcement Division for enforcement action, which could result in additional fines, penalties, or other sanctions.

18. Carrier is exempt from Rule 3.1(b) of the Commission's Rules of Practice and Procedure.

19. Carrier is exempt from Pub. Util. Code Sections 816-830.

20. If Carrier decides to discontinue service or file for bankruptcy, it must immediately notify the California Public Utilities Commission's Director of the Communications Division, by e-mail to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov).

**(END OF ATTACHMENT B)**

# **ATTACHMENT C**

**ATTACHMENT C**  
**ANNUAL REPORT**

In addition to the annual reports requirement pursuant to General Order 104-A, submit the following information electronically via email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) no later than March 31 of the year following the calendar year for which the annual report is submitted.

Failure to submit this information on time may result in a penalty as provided for in Pub. Util. Code Sections 2107 and 2108.

Required information:

1. Exact legal name and Utility ID number of the reporting utility.
2. Address of the reporting utility.
3. Name, title, address, and telephone number of the person to be contacted concerning the reported information.
4. Name and title of the officer having custody of the general books of account and the address of the office where such books are kept.
5. Type of organization (*e.g.*, corporation, partnership, sole proprietorship, etc.).  
If incorporated, specify:
  - a. Date of filing articles of incorporation with the Secretary of State.
  - b. State in which incorporated.
6. Number and date of the Commission decision granting the Certificate of Public Convenience and Necessity.
7. Date operations were begun.
8. Description of other business activities in which the utility is engaged.
9. List of all affiliated companies and their relationship to the utility.  
State if affiliate is a:
  - a. Regulated public utility.
  - b. Publicly held corporation.
10. Balance sheet as of December 31st of the year for which information is submitted.

11. Income statement for California operations for the calendar year for which information is submitted.

Additional information about the reporting requirements is available at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/annual-report-forms>. For any questions concerning this report, please send an email to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) with a subject line that includes: "CD Annual Reports."

**(END OF ATTACHMENT C)**



# **ATTACHMENT D**

**ATTACHMENT D****CALENDAR YEAR AFFILIATE TRANSACTION REPORT**

Submit the following information electronically using the Annual Affiliate Transaction Report Form<sup>1</sup> via e-mail to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) no later than May 1 of the year following the calendar year for which the annual affiliate transaction report is submitted.

1. Each utility must list and provide the following information for each affiliated entity and regulated subsidiary that the utility had during the period covered by the Annual Affiliate Transaction Report.
  - Form of organization (*e.g.*, corporation, partnership, joint venture, strategic alliance, etc.);
  - Brief description of business activities engaged in;
  - Relationship to the utility (*e.g.*, controlling corporation, subsidiary, regulated subsidiary, affiliate);
  - Ownership of the utility (including type and percent ownership)
  - Voting rights held by the utility and percent; and
  - Corporate officers.
2. The utility must prepare and submit a corporate organization chart showing any and all corporate relationships between the utility and its affiliated entities and regulated subsidiaries in item 1 above. The chart must have the controlling corporation (if any) at the top of the chart, the utility and any subsidiaries and/or affiliates of the controlling corporation in the middle levels of the chart, and all secondary subsidiaries and affiliates (*e.g.*, a subsidiary that in turn is owned by another subsidiary and/or affiliate) in the lower levels. Any regulated subsidiary must be clearly noted.
3. For a utility that has individuals who are classified as “controlling corporations” of the competitive utility, the utility must only report under the requirements of item 1 and item 2 above any affiliated entity that either (a) is a public utility or (b) transacts any business with the utility filing the annual report excluding the provision of tariff services.

---

<sup>1</sup> An Annual Affiliate Report form (in PDF format) has been developed to help facilitate the submission of this reporting obligation and it is available at: [https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/licensing-compliance/annual-reporting-requirements/annual-affiliate-transaction-report-form .pdf](https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/licensing-compliance/annual-reporting-requirements/annual-affiliate-transaction-report-form.pdf).

4. Each annual report must be signed by a corporate officer of the utility stating under penalty of perjury under the laws of the State of California (CCP 2015.5) that the annual report is complete and accurate with no material omissions.
5. Any required information, documents, or other material that a utility is unable to provide must be reasonably described and the reasons they cannot be obtained, as well as the efforts expended to obtain them, must be set forth in the utility's Annual Affiliate Transaction Report and verified in accordance with Section I-F of Decision 93-02-019.
6. Utilities that do not have affiliated entities must submit, in lieu of the annual transaction report, an annual statement to the Commission stating that the utility had no affiliated entities during the report period. This statement must be signed by a corporate officer of the utility, stating under penalty of perjury under the laws of the State of California (CCP 2015.5) that the annual report is complete and accurate with no material omissions.

Additional information about the reporting requirements is available at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/annual-report-forms>. For any questions concerning this report, please send an e-mail to [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov) with a subject line that includes: "CD Annual Reports."

**(END OF ATTACHMENT D)**

# **ATTACHMENT E**

**ATTACHMENT E**  
**SURCHARGE REPORT**

Email the following information to [telcosurcharge@cpuc.ca.gov](mailto:telcosurcharge@cpuc.ca.gov) and [cdcompliance@cpuc.ca.gov](mailto:cdcompliance@cpuc.ca.gov).

**Subject Line** should include “Surcharge Prior to CPUC Approval Per D.24-XX-XXX, A.24-08-019.”

**Body of email should include:**

1. Carrier Name
2. Date of Operation without License
3. Date Issuance of the Decision
4. Monthly Intrastate Revenue report prior to April 2023

	<b>2022</b>	<b>2023</b>
<b>January</b>		
<b>February</b>		
<b>March</b>		
<b>April</b>		n/a
<b>May</b>		n/a
<b>June</b>		n/a
<b>July</b>		n/a
<b>August</b>		n/a
<b>September</b>		n/a
<b>October</b>		n/a
<b>November</b>		n/a
<b>December</b>		n/a

5. Number of Active Access Line from April 2023 to Issuance of this Decision.  
*See Section 5.2.2 of D.22-10-021 for definition of access line.*

	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>January</b>	n/a		
<b>February</b>	n/a		
<b>March</b>	n/a		
<b>April</b>			n/a
<b>May</b>			n/a

	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>June</b>			n/a
<b>July</b>			n/a
<b>August</b>			n/a
<b>September</b>			n/a
<b>October</b>			n/a
<b>November</b>			n/a
<b>December</b>			n/a

**(END OF ATTACHMENT E)\***