BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

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

CALIFORNIA BROADBAND & VIDEO ASSOCIATION'S WORKSHOP REPORT ON THE AUGUST 17, 2026 DIVCA VIDEO FRANCHISING WORKSHOP

I. INTRODUCTION

This Workshop Report is timely filed by the California Broadband & Video Association ("CalBroadband"), as directed by the June 2, 2026 *Ruling of the Assigned Commissioner and Administrative Law Judge Noticing a Workshop and Expanding the Formal Record of the Proceeding* ("June 2 Ruling")[1] and June 12, 2026 *Administrative Law Judge's Ruling Granting Motion of Frontier California Inc. for Extension of Time, Updating Schedule and Addressing Record* ("June 12 Ruling").[2] The Workshop Report summarizes the California Public Utilities Commission's ("Commission" or "CPUC") in-person public workshop held on August 17, 2026, in Rulemaking (R.) 23-04-006 concerning California video franchising rules under the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA"). The Workshop was held at the Commission's San Francisco headquarters in Hearing Room A and focused on the impact and effect of the Communications Division Staff Report proposals on video franchise holders and consumers, the costs of implementing proposed customer service requirements and standards, and potential areas of alignment among parties.

This Workshop Report provides a high-level and neutral summary of the presentations, public comments, questions, and discussion at the Workshop. For further reference, the Workshop agenda is attached as Appendix A, and the presentation materials used by participants are attached as Appendix B.

[1] Per the June 2 Ruling, on August 28, 2026, CalBroadband held a meeting open to all parties to confer regarding the Workshop Report. June 2 Ruling at 2.

[2] Among other things, the June 12 Ruling extended the deadline for submission of the Workshop Report until September 1, 2026. June 12 Ruling at 4.

II. PROCEDURAL BACKGROUND

DIVCA, enacted in 2006, created a statewide video franchising framework and granted the Commission authority to issue state video franchises, while local government entities retained concurrent oversight over certain customer service standards. The Commission adopted General Order ("GO") 169 to implement DIVCA. In 2021, Senate Bill ("SB") 28 amended the statutory framework and directed the Commission, among other things, to adopt and enforce customer service requirements for state video franchise holders, adjudicate customer service complaints, and collect more granular information about locations served.

The Commission opened R.23-04-006 in April 2023 to address the implementation of SB 28 and related updates to the DIVCA framework. In December 2025, the Communications Division issued a Staff Report containing recommendations regarding customer service standards, reporting requirements, enforcement mechanisms, and franchise application and renewal processes. On June 2, 2026, the assigned Administrative Law Judge ("ALJ") Margery L. Melvin issued a ruling noticing the Workshop for June 22, 2026.[3] On June 12, 2026, the ALJ issued a revised ruling rescheduling the Workshop for August 17, 2026.[4] The August 17, 2026 Workshop was noticed to facilitate interactive discussion regarding the Staff Report and other scoped issues in this proceeding.

Per the June 12 Ruling, comments on this Workshop Report may be filed and served by September 21, 2026, and replies may be filed and served by September 28, 2026.

III. WORKSHOP SUMMARY

The Workshop began with logistical remarks from Communications Division staff and opening remarks from Deputy Executive Director for Broadband and Communications Ana Maria Johnson, Assigned Commissioner Karen Douglas, and Caleb Jones, advisor to Commissioner Darcie L. Houck. Speakers emphasized the Commission's objective of developing effective, implementable customer service standards, facilitating informed discussion of the cost and impact of the Staff Report proposals, and identifying areas of agreement and disagreement.

The Workshop agenda included four public comment periods and three substantive panels: (1) the impact of the Staff Report proposals on franchise holders and consumers; (2) the

[3] June 2 Ruling at 1.

[4] June 12 Ruling at 1.

cost of implementing proposed customer service standards; and (3) potential areas of alignment. The panel discussions included representatives of consumer and community organizations, public, educational, and governmental ("PEG") channel interests, cable trade association CalBroadband, Spectrum Pacific West/Charter Communications ("Charter"), and Comcast. Commission decisionmakers and staff asked questions throughout the panels, and panelists were encouraged to respond to one another.

IV. DIVCA WORKSHOP DISCUSSION

A. Panel 1 - Impact of Staff Report Proposals on Franchise Holders and Consumers & Implementation of Customer Service Requirements

Panel 1, moderated by Houck advisor Caleb Jones, addressed the impact of the Staff Report on franchise holders and consumers and the implementation of customer service requirements. Tracy Rosenberg, presenting the talking points prepared by the absent representative for Digital Equity Los Angeles ("DELA"), supported measurable and enforceable customer service standards, automatic remedies when standards are not met, a complaint process, and performance reporting. DELA's presentation also urged that consumers be able to complete cancellation online and receive certain pricing disclosures. She also argued that formal complaint counts may understate customer-service problems.

Sue Miller Buske, representing the Alliance for Community Media, Alliance for Communications Democracy, and Media Alliance, focused on PEG programming. She urged standards addressing (1) high-definition ("HD") transmission of PEG content to subscribers when supplied in HD by the signal provider, local entity, or its designee; (2) inclusion of PEG programming on electronic programming guides on a comparable basis to other programming; and (3) clear disclosure regarding PEG availability when customers subscribe to or change video packages. She also urged that any PEG-related standards adopted by the Commission be included in GO 169 and be subject to an enforcement mechanism.

Michael Eisenmenger of the Alliance for Communications Democracy described the experience of Marin TV and the spectrum bandwidth currently needed for HD channels given technological improvements, and he argued that down-conversion of PEG signals from HD to standard definition can make government-meeting graphics, captions, and presentations difficult to read. He urged the Commission to enforce DIVCA requirements concerning comparable PEG quality and functionality.

Janus Norman, speaking for CalBroadband, stated that franchise holders support strong customer service but disputed the need for an expansive new regulatory framework. CalBroadband urged the Commission to focus on the specific mandates of SB 28, distinguish customer service from broader consumer protection or carriage issues, and account for the declining competitive position of traditional video services relative to streaming providers that are not subject to DIVCA obligations. Mr. Norman also stated that new reporting, compliance, auditing, and staffing requirements would create costs that could affect prices, investment, innovation, and smaller providers.

B. Panel 1 Questions and Discussion

Commissioner Douglas and other Commission representatives explored the operational changes required by the Staff Report, the relationship between existing federal standards and proposed California requirements, exemptions for events outside a provider's reasonable control, competitive effects, and customer transparency. CalBroadband stated that new obligations could require modifications to systems, workflows, and staffing, with impacts varying by provider. Consumer advocates responded that many substantive standards already parallel longstanding federal requirements and questioned what incremental compliance costs would arise apart from reporting, enforcement, and automated credits.

Panel 1 also discussed potential exemptions for circumstances such as extended power outages, cable cuts, emergencies, and other events outside provider control. CalBroadband supported accountability for matters within a provider's control and broader exemptions for matters outside that control. The discussion further addressed whether competitive pressure itself improves customer service, with industry representatives emphasizing customer retention and consumer advocates emphasizing that competition should not reduce baseline protections.

On PEG issues, industry representatives maintained that HD carriage and related PEG proposals involve program carriage rather than customer service and are outside the scope of the proceeding. PEG representatives responded that picture quality, channel discoverability, program-guide information, and notice of channel changes directly affect the service received by paying subscribers and are customer service issues. Commissioner Douglas acknowledged the scope dispute.

C. Panel 2 - Cost of Implementation

Panel 2, moderated by Gregory Rubenstein, Regulatory Analyst, Communications Division, focused on the costs of implementing proposed customer service standards. Wesley

Udell, representing CalBroadband, discussed potential one-time implementation costs, recurring operational costs, and indirect opportunity costs. He urged the Commission to apply a cost-benefit approach and to consider whether existing systems can be cost-effectively adapted to produce California-specific metrics and reports.

CalBroadband also identified potential costs associated with call-answer-time standards, including staffing, workforce scheduling, telecommunications systems, monitoring tools, reporting systems, record retention, and audit readiness. Mr. Udell also argued that certain concepts in older federal standards, such as busy signals and requirements for a physical technician response, may not reflect modern technology and remote diagnostics. With respect to online termination, CalBroadband stated this can actually harm consumers. For example, cancellation functionality can implicate billing, authentication, equipment returns, bundled services, final billing, and customer communications. Mr. Udell also identified system integration, customer identification, exemptions, auditing, and billing-system changes as potential costs of automatic bill credits.

Shayna Englin of the California Community Foundation responded that online enrollment and account management are already well-established and that major franchise holders operate in other states with online cancellation requirements. She also stated that the Staff Report largely codifies existing federal and state standards while adding reporting and enforcement mechanisms and urged the Commission to require specificity regarding asserted implementation costs. She further urged the Commission to consider the financial scale of major providers while recognizing that smaller providers may warrant different treatment.

D. Panel 2 Questions and Discussion

Commissioner Douglas and Commission staff asked the panelists to identify the incremental cost elements of the Staff Report relative to existing federal requirements. CalBroadband stated that the largest incremental cost issues relate to reporting and enforcement, particularly California-specific data collection and reporting. The discussion addressed whether providers already collect internal performance data, whether California-specific metrics can be separated from national data, and whether other states require similar reporting.

The panel also discussed possible modernization of older standards. CalBroadband suggested alignment with recently adopted voice service quality standards where appropriate and recognition that outages may be diagnosed or resolved remotely rather than through a physical truck roll. The discussion also considered evolving customer-service channels.

Commission representatives requested additional information for the written record, including which proposed standards are most and least resource intensive; the financial and operational impact of the standards; whether compliance costs could affect service footprints or expansion; the cost of responding to outages within specified timeframes; how existing California reporting is compiled; and whether current reporting capabilities could support additional California-specific reporting. Industry representatives indicated that they could address several of these questions in written comments.

E. Panel 3 - Potential Alignment of Proposed Baseline Consumer Protection Rules and Other Scoped Issues

Panel 3 addressed potential areas of alignment and was moderated by Julian Buchwalter, Advisor to Commissioner Douglas. Tracy Rosenberg, presenting the Joint Advocates'[5] positions, stated that parties appeared to agree on the general outline of baseline customer service standards derived from federal requirements, that the term "busy signals" is antiquated, and that a 24-hour outage-response standard should recognize remote response and remediation. The Joint Advocates' presentation also identified apparent agreement on use of the Commission's Consumer Affairs Branch ("CAB") for informal complaints and on granular service-location reporting required by SB 28.

The Joint Advocates continued to support measurement, reporting, automatic remedies, a formal complaint process for unresolved matters, Commission enforcement authority, greater public participation in franchise renewals, PEG-related requirements, and consideration of environmental and social justice principles. They indicated openness to an implementation period for providers to establish necessary reporting or compliance systems but opposed standards that are not measured or enforceable.

Torry Somers of Charter stated that rules should faithfully implement SB 28, build on existing federal and state frameworks, and recognize the competitive and operational realities of the current video services marketplace. He discussed how SB 28 authorizes customer service standards, complaint adjudication, and granular service-location data collection, but does not authorize the broader enforcement, reporting, renewal, or PEG measures advocated by other parties. He also noted that DIVCA affirmatively provides that the Commission may not impose any requirements on state franchise holders except those expressly authorized by DIVCA.

[5] "Joint Advocates" refers to Digital Equity Los Angeles, California Community Foundation, Alliance for Communications Democracy, Alliance for Community Media, and Media Alliance.

Brian Bottari of Comcast identified several areas of agreement: the "busy signal" concept is antiquated; outages can often be evaluated and resolved remotely; an informal CAB complaint process is desirable; and SB 28 requires granular service-availability reporting (which has been implemented separately from the current proceeding). Comcast supported using federal customer service standards during normal operating conditions as the baseline and favored a complaint-based compliance framework rather than ongoing reporting absent evidence of a systemic problem. If federal standards are modified, Comcast suggested alignment with GO 133-E where appropriate, with relevant exemptions, while opposing automatic bill-credit and penalty provisions in the video context on the ground that DIVCA franchisees are not public utilities subject to the Commission's public utility enforcement authority.

F. Panel 3 Questions and Discussion

The final panel revisited implementation details concerning online cancellation, reporting, and credits. Charter indicated that it would provide additional information in writing regarding cancellation and state-specific reporting. Charter also stated that it did not currently have a system for automatic credits, although it provides customer credits in some circumstances, and argued that any credit should be proportionate to the cost of service rather than a flat amount.

The parties also discussed what should occur when an informal CAB complaint does not resolve a customer's dispute. Comcast suggested that existing remedies, including investigation of patterns of noncompliance and small claims court in appropriate cases, may be sufficient. Consumer advocates argued that directing individual consumers to small claims court can impose a disproportionate burden and that SB 28's direction to adjudicate complaints supports a formal Commission process for unresolved matters.

Commissioner Douglas encouraged further discussion and written proposals regarding possible escalation mechanisms. She also emphasized the goal of avoiding unnecessary divergence from existing standards while also adopting rules that remain useful as technology and customer-service practices evolve.

G. Public Comments

The Workshop included several opportunities for public comment over the course of the day. Public commenters emphasized the continuing importance of PEG programming for local government transparency, education, community participation, and emergency communications. Commenters urged the Commission to modernize GO 169 to reflect changes in how Californians receive video programming, including through internet-delivered services, and expressed concern that declining traditional cable subscribership is reducing PEG funding. Other commenters supported the Staff Report proposals and the PEG requirements proposed by the Alliance for Community Media, Alliance for Communications Democracy, and Media Alliance.

Public commenters also raised concerns about the long-term financial sustainability of PEG media as customers migrate away from traditional cable, and requested that the Commission preserve consumer access to PEG programming when franchise holders change delivery technologies. Commenters expressed support for standards addressing PEG channels' native signal quality, discoverability, and channel package transparency. A Frontier representative emphasized the potential impact of new regulatory burdens on smaller franchise holders, urged the Commission to limit implementation to the requirements clearly mandated by SB 28, and argued that PEG-related issues are outside the scope of SB 28.

VI. QUESTIONS IDENTIFIED FOR FURTHER COMMENT

As part of the Workshop discussion, Commission representatives identified issues for potential further development in written comments,[6] including:

- Which proposed baseline customer service standards are most and least resource intensive to implement, and why;
- What specific one-time, recurring, and opportunity costs would be associated with reporting, automatic credits, online termination requests, complaint handling, and other proposed requirements;
- Whether and how providers implement comparable online cancellation, reporting, or customer-service requirements in other states;
- What customer service and performance data providers currently collect internally, at the federal level, or on a state-specific basis, and what changes would be required for California-specific reporting;
- How any exemptions for emergencies, power loss, third-party damage, lack of premises access, customer rescheduling, or other circumstances outside a provider's reasonable control should be defined and implemented;
- What escalation or formal adjudication mechanism should apply when CAB's informal complaint process does not resolve a dispute; and

[6] CalBroadband intends to address these questions in its comments on the Workshop Report.

- How customer service standards can be modernized to account for remote diagnostics, self-service tools, chat, applications, and other customer-service channels while remaining administratively workable.

VII. ACKNOWLEDGMENTS

The Workshop participants thanked the Commission, Communications Division staff, Assigned Commissioner Douglas, Commissioner Houck's office, the moderators, panelists, and members of the public for participating in the Workshop. Commissioner Douglas encouraged continued dialogue among parties to narrow differences and develop a regulatory framework that is workable, appropriately tailored to SB 28, and beneficial to California consumers.

Respectfully submitted,

/s/ Wesley Udell
Wesley Udell

California Broadband & Video Association
925 L Street, Suite 850
Sacramento, CA 95814
Tel: (916) 446-7732
E-Mail: wesley@calbroadband.org

Dated: September 1, 2026

APPENDIX A: WORKSHOP AGENDA

In-Person Public Workshop for Rulemaking 23-04-006 about Video Franchising Rules

Monday | August 17, 2026 | Starts at 10:00 a.m.

California Public Utilities Commission – Hearing Room A, 505 Van Ness Avenue, San Francisco, CA 94102

Agenda

10 minutes	Introduction and Welcome by Communications Division
5 minutes	Opening Remarks by Deputy Executive Director for Broadband and Communications, Ana Maria Johnson
10 minutes	Opening Remarks by Commissioners Karen Douglas and Darcie L. Houck
Starts at 10:30 a.m.	Comments by the Public

Panel #1 Impact of Staff Proposal on Franchise Holders and Consumers & Implementation of Customer Service Requirements

(moderated by Caleb Jones, Advisor to Commissioner Darcie L. Houck)

- Patrick Messac, Digital Equity Los Angeles
- Sue Miller Buske, Alliance for Communications Democracy, Alliance for Community Media, and Media Alliance
- Michael Eisenmenger, Alliance for Communications Democracy
- Janus Norman, California Broadband & Video Association (CalBroadband)

Agenda (continued)

1 hour	Lunch Break
Starts at 1:15 p.m.	Comments by the Public
	Panel #2 Cost of Implementation (moderated by Gregory Rubenstein, Regulatory Analyst, Communications Division) o Wesley Udell, CalBroadband o Shayna Englin, California Community Foundation
15 minutes	Break
Starts at 2:30 p.m.	Comments by the Public
	Panel #3 Potential Alignment of Proposed Baseline Consumer Protection Rules and Other Scoped Issues (moderated by Julian Buchwalter, Advisor to Commissioner Karen Douglas) o Tracy Rosenberg, Media Alliance o Brian Bottari, Comcast Cable Communications o Torry Sommers, Spectrum Pacific West (Charter Communications)
Starts at 3:30 p.m.	Comments by the Public
10 minutes	Closing Remarks by Commissioners Karen Douglas and Darcie L. Houck

The workshop will be recorded and made available on the CPUC's Video Franchise Workshops webpage. Although a quorum of Commissioners, their advisors, or other decisionmakers may be present, no action will be taken at this event.

APPENDIX B: PRESENTATION MATERIALS

Digital Infrastructure & Video Competition Act (DIVCA) In-Person Public Workshop

Rulemaking 23-04-006

Video Franchising Rules

August 17, 2026

Introduction and Welcome

Logistics

- Restrooms are located at the other end of this lobby.
- Cell phones should be in silent mode.
- We are recording this event and will publish it online at the CPUC's Video Franchise Workshops.
- We will have breaks during lunch for an hour and in the afternoon for 15 minutes.
- Wi-Fi is available in this hearing room using newcpucguest.
- Although a quorum of Commissioners, their advisors, or other decisionmakers may be present, no action will be taken at this event.

Logistics: Public Comments

- Four specific times for public comments: 10:30 a.m., 1:15 p.m., 2:30 p.m., and 3:30 p.m.

- We will prioritize the specific times for public comment. If we are in the middle of a panel discussion, then we will pause the panel discussion to start the public comments time, as needed. We will resume the panel discussion afterwards.

Logistics: Public Comments

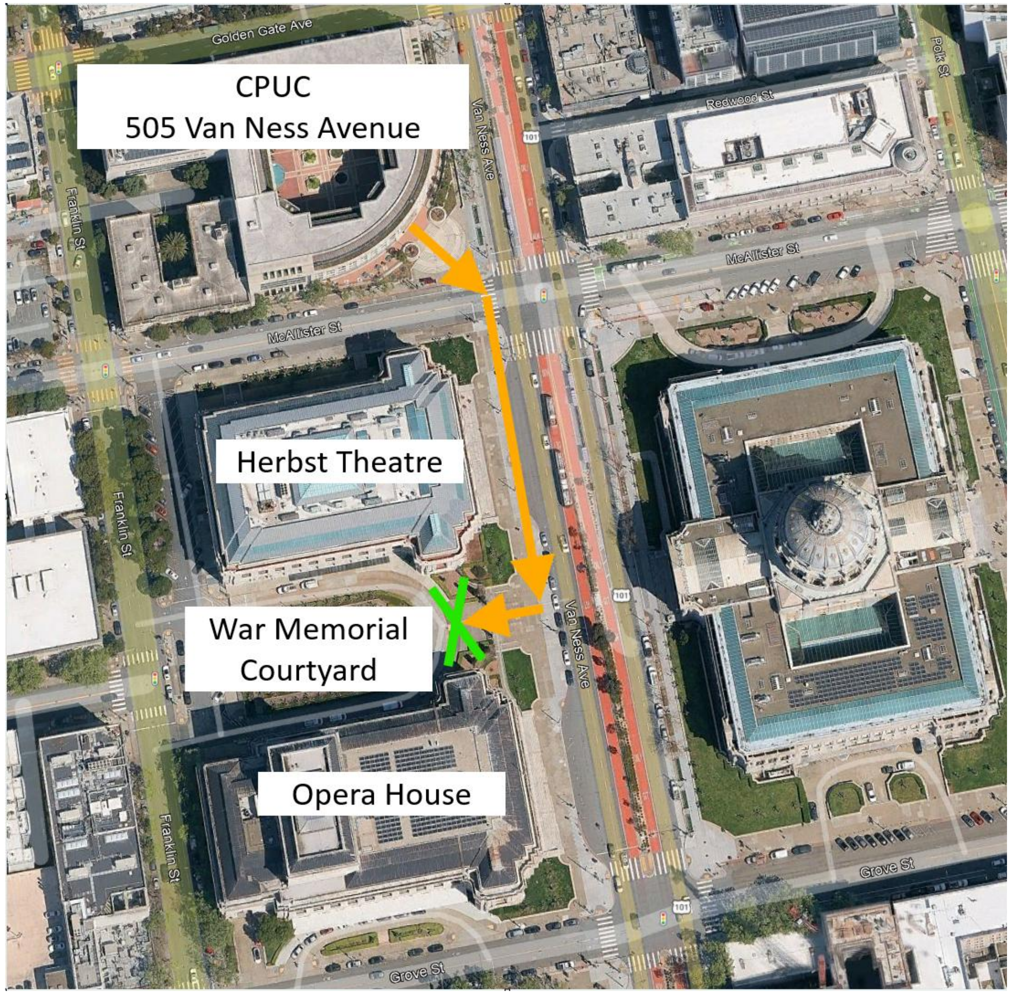
- To give public comments at this in-person meeting, inform the facilitator or other Communications Division staff. You can also add your name to a list for public comments.
- If you put your name on the list to speak then we can let you know when it is time for you to share your comments.
- We will bring you a microphone or you can share your comments in writing so the facilitator can verbally say it.
- Tell us your first and last name and whether you belong to any organization, company, or government agency. Also, speak into the microphone.

Logistics: Written Comments

- Members of the public can submit comments online anytime through the proceeding's "Public Comments" tab within the docket card for Rulemaking 2304006: https://apps.cpuc.ca.gov/apex/f?p=401:56::::RP,57,RIR:P5_PROCEEDING_SELECT:R2304006.

- Parties can file and serve written comments in response to the Workshop Report that will be issued on September 1, 2026.

Logistics: In Case of Evacuation



1. Exit the CPUC building located at 505 Van Ness Ave.
2. Head south on Van Ness Ave. in between McAllister St. and Grove St. Stay on Van Ness Ave. and across the street from City Hall.
3. The meet point is the **War Memorial Courtyard** between the Herbst Theatre and the Opera House.

Introduction of CPUC

- Commissioners Karen Douglas and Darcie L. Houck
- Deputy Executive Director for Broadband and Communications, Ana Maria Johnson
- Communications Division Staff

Panelists

- Digital Equity Los Angeles (DELA)
- Alliance for Communications Democracy
- Alliance for Community Media
- California Community Foundation
- Media Alliance
- California Broadband & Video Association (CalBroadband)
- Spectrum Pacific West (Charter Communications)
- Comcast Cable Communications

Topics

- Welcome and Introduction
- Commissioners' and Deputy Executive Director's Opening Remarks
- 4 Sessions of Comments by the Public
- 3 Sets of Panels about Impacts, Implementation, Costs, Alignment, and Other Scoped Issues
- Commissioners' Closing Remarks

Opening Remarks

Ana Maria Johnson,
Deputy Executive Director for Broadband and Communications

Opening Remarks

Commissioner
Karen Douglas

Opening Remarks

Commissioner
Darcie L. Houck

Public Comments @ 10:30 a.m.

PANEL 1: IMPACT

Impact of Staff Proposal on Franchise Holders and Consumers & Implementation of Customer Service Requirements

MODERATOR:

Caleb Jones, Advisor to Commissioner Darcie L. Houck

Panel 1: Panelists

- Patrick Messac, DELA
- Sue Miller Buske, Alliance for Community Media, Alliance for Communications Democracy, and Media Alliance
- Michael Eisenmenger, Alliance for Communications Democracy
- Janus Norman, CalBroadband

Presentation

- Patrick Messac, DELA

Customer Service Panel

Workshop R.23-04-006

Customer Service Challenges are Pervasive

45th

out of 45 industries

Subscription TV received the lowest customer satisfaction score measured by ACSI in 2025.

68

out of 100

Customer satisfaction with call-center practices

"

Canceling basic services shouldn't feel like an impossible task.

Los Angeles customer
CPUC public comment

The record also includes repeated concerns about unclear bills, service outages, long waits, and difficulty ending service.

Alliance for Community Media

DIGITAL EQUITY LOS ANGELES

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

Make the Standards Enforceable

The Staff Report would make common customer service failures measurable and tied to automatic credits or refunds.

Clarification to Staff Recommendation

Online Cancellation: Customers should be able to complete cancellation online without a required call or retention process.

Call Answering

Reach a Person

- 90% answered within 30 seconds
- Less than 3% busy signals

Automatic credit when standard is missed.

Service Outages

Get Service Addressed

- Response begins within 24 hours
- Specified exemptions for emergencies and other identified circumstances

Daily credit for noncompliance.

Billing Termination

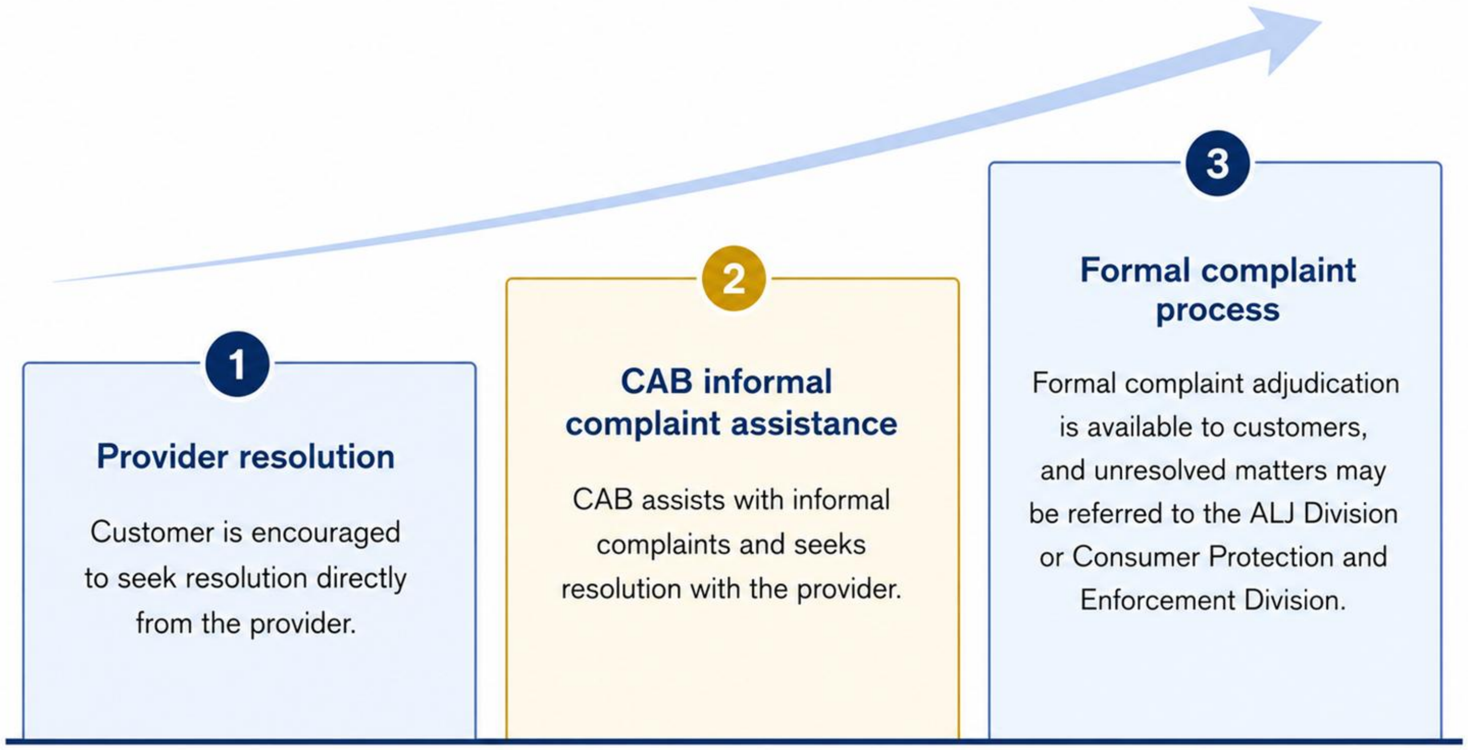
Stop Billing After Cancellation

- Stop charges within 7 business days
- Stop by requested end date with sufficient notice
- Refund charges collected after deadline

Daily credit for delayed termination.

Establish a Clear Complaint Process

The Staff Report would expand informal complaint assistance through CAB and provide a formal adjudication process for complaints that remain unresolved.



Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

Require Performance Reporting

The Staff Report would require annual reporting on compliance with customer-service standards, including credits, citations, and enforcement actions.

Call Response

Were calls answered within the adopted standard?
Annual reporting on service standards

Outage Response

Did the provider respond within 24 hours?
Tracking compliance with the outage-response standard

Service Termination

Did billing stop within the required timeframe?
Tracking compliance with termination deadlines

Customer Remedies

Were required credits and refunds issued?
Confirming required credits and refunds were issued

The Staff Report would authorize additional repercussions, including escalated penalties or mandatory credits and refunds, for patterns of noncompliance, egregious behavior, or disparate treatment, particularly in low-income or ESJ communities.

Alliance for Community Media

DIGITAL EQUITY

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

RECORD-BASED ADDITION

Require Clear Pricing Disclosures

The Staff Report documents confusing charges, sudden price increases, misleading promotions, unexpected charges and add-ons, and insufficient notice before rate increases, but does not propose a stand-alone pricing-disclosure standard.

Before enrollment

- Total recurring monthly price
- Mandatory provider charges
- Equipment and one-time charges
- Promotional end date
- Post-promotion price

When the price changes

- Current recurring price
- New recurring price
- Effective date of the change
- Clear written notice

Clear disclosure supports informed choice and reduces billing disputes.

Alliance for Community Media

DIGITAL EQUITY

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

Recommended Commission Action

Adopt the Staff Report's Framework

- Measurable customer-service standards with automatic credits and refunds
- Informal complaint assistance and formal adjudication for unresolved complaints
- Performance reporting and enforcement for patterns of noncompliance, egregious behavior, or disparate treatment

Clarify and Strengthen

- Customers should be able to complete cancellation online
- Require clear pricing disclosures before enrollment and before a price change

Bottom line: Clear standards, accessible remedies, and reliable performance data give customers meaningful protection and the Commission the information needed for oversight.

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

Presentation

- Sue Miller Buske, Alliance for Community Media, Alliance for Communications Democracy, and Media Alliance

Presentation for Party Workshop in Rulemaking 23-04-006
Panel 1

Alliance for Community Media,
Alliance for Communications Democracy,
and Media Alliance

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

California Customers Face "Systemic Problems on a Range of PEG Issues"

- Staff Report: Customers "from urban, suburban, and rural areas across California" commented that "PEG channels … are *not being delivered or supported in a manner consistent with DIVCA*."
- If customers cannot find PEG programming, cannot view it in a legible and modern format, and cannot record it like they do every other channel—that is a customer service problem.
- The CPUC should address PEG-related customer service problems in the same manner as other customer service problems identified in the Staff Report: through new customer service standards.

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

Highlights from Public Participation Hearings

- *"We often receive complaints from customers about this. We even get complaints from our local elected officials. … [T]hey say '**Why can't I read that budget document that's on the screen during the council meeting?**'"* – Bryan Harley (Tr. Vol 3 at 177)
- *"One of our biggest viewer complaint[s] that we get is that the view[er]s **can't read the power point presentations in our Board of Supervisor[s] and City Commission meetings**."* – Jack Chin (CPUC Public Comment)
- *"**Why is local media not available in HD? Why is the content not getting on-screen guides like other channels?** Step up Charter."* – JK Stanfill (CPUC Public Comment)

Alliance for Community Media
The Alliance for Communications Democracy
MEDIA ALLIANCE

Highlights from Public Participation Hearings

- *"[N]o information is provided on the program guide, so I have to find out when a meeting is occurring and then set a recording for the generic 4-hour 'Public, Educational, Government Access' listing … **This programming should not work any differently than the hundreds of other channels available.**"* Megan Miller (CPUC Public Comments)
- *"When I watch local school board meetings on Spectrum cable, I often have to go back and find the meeting recordings on the district website just so I can read the informational slides. **Clearly these meetings are made in HD and intended to be seen in HD**. … Also, since there is no information about these meetings on the program guide, I have to go to the district website to find out when they are going to be on. **Program guide info is available for all the other channels**."* Jared Hinton (CPUC Public Comments)

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

Recommended Customer Service Requirements: Common Themes

- Record confirms PEG programming remains important to CA Customers.
  - Unique source of hyper-local community programming.
  - Essential for local government to be transparent and participatory.
- We propose modest requirements to remedy customer service problems and inferior treatment of PEG channels relative to other channels.
  - To meet DIVCA's goals and purposes, customers must have access to PEG channels in the same manner as other channels.
  - PEG channels face numerous challenges, but our recommendations here are narrowly tailored to limited customer service issues.

Recommended Customer Service Requirements

1. **"High Definition Customer Service Requirement"** – PEG channels must be transmitted to subscribers in the same format in which they are received from the signal provider, local entity, or its designee.
   a) If PEG programming is received HD, it should be transmitted to customers in HD.
   b) Customers should not receive signal quality that has been diminished, down-converted, or degraded.
   c) Ensures that customers receive PEG programming in modern format that is legible and comparable to virtually all other programming.

Recommended Customer Service Requirements

2. **"Electronic Programming Guide Customer Service Requirement"** – Programming information provided on electronic programming guides should be available for all channels, including PEG channels, on a comparable basis.
    a) A VFH, when requested, shall assist in providing PEG originator with access to the entity that controls the electronic program guide.
    b) Necessary for customers to find, view, and record PEG programming in the same manner as that in which they view, select, and record other channels.

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

Recommended Customer Service Requirements

3. **"PEG Informational Requirement"** – VFHs shall provide information about access to PEG channels as part of the information provided to customers about the VFHs' service offerings.
    a) E.g., if PEG channels are available through a bundle that includes cable video, but not available through a bundle that includes non-cable video programming, that should be made explicit to customers in advance.
    b) Necessary for customers to have clear and transparent information about what exactly is included in different service packages.

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

Implementation

- These PEG-related customer service requirements should be included in the new Section VIII of GO 169 along with the other customer service standards recommended in the Staff Report.
- If not subject to automatic bill credits, the PEG-related requirements could be in separate subsection of new Section VIII.
- PEG-related customer service standards should also be addressed in the quarterly reports subject to Section IX.C.2 proposed in the Staff Report.

Presentation

- Michael Eisenmenger, Alliance for Communications Democracy

Presentation for Party Workshop in Rulemaking 23-04-006 Panel 1 – Part 2

Michael Eisenmenger

Alliance for Communications Democracy

The Alliance for Communications Democracy

Community Media Center of Marin

- *Our Marin TV government channel alone carries the meetings of 10 local municipalities, the County and numerous agencies with many meetings carried live. We cablecast over 600 meetings each year.*
- *"We are often called upon to carry special live emergency broadcasts, such as daily briefings during wildfire events and in the past, daily Covid updates by the County. It's absolutely necessary for the visual graphics used in these briefings to be readable to the viewers for public safety reasons."*
  – Michael Eisenmenger(CPUC Public Comment)

The Alliance for Communications Democracy

Illustration of SD versus HD

An HD video image is 1920 x 1080 pixels or 2,073,600 pixels. By contrast a HD image downconverted to SD is 720 × 576 or 414,720 pixels. Roughly 80% of the picture information is discarded in this process rendering the final display blurry which makes text and graphics difficult to read. The image is also reduced in size, or letterboxed (black bars top and bottom).

HD Television Frame 1920x1080

HD video downconverted to SD (Letterboxed)

The Alliance for Communications Democracy

High Definition & Digital Transition

In 2018, Comcast replaced PEG analog fiber encoder with digital encoders to receive our signals in HD. This was done to simplify their conversion to digital QAM in their distribution to subscribers

A standard digital QAM (Quadrature Amplitude Modulation) cable channel occupies a **6 MHz** bandwidth in North America, which is the exact same channel size previously used by a single traditional analog TV channel. Each PEG channel had **6 MHz** when analog.

The Alliance for Communications Democracy

High Definition & Digital Transition

A single PEG channel with an allocation of 6Mhz could support 2-3 HD channels or 10-12 SD channels. Instead PEG receives only one SD channel.

PEG channels are being given a fraction of the bandwidth allocation they previously had when cable was analog. Commercial channels are commonly given multiple channels (1HD and multiple SD).

Lack of HD carriage is not a scarcity or engineering issue, it appears to be a choice.

The Alliance for Communications Democracy

Recommended HD Customer Service Requirement

1. **"High Definition Customer Service Requirement"** – PEG channels must be transmitted to subscribers in the same format in which they are received from the signal provider, local entity, or its designee.
   a) If PEG programming is received HD, it should be transmitted to customers in HD.
   b) Customers should not receive signal quality that has been diminished, down-converted, or degraded.
   c) Ensures that customers receive PEG programming in modern format that is legible and comparable to virtually all other programming.

The Alliance for Communications Democracy

Implementation

- This HD PEG-related customer service requirement should be included in the new Section VIII of GO 169 along with the other customer service standards recommended in the Staff Report.
- If not subject to automatic bill credits, the PEG-related requirements could be in separate subsection of new Section VIII.
- This HD PEG-related customer service standard should also be addressed in the quarterly reports subject to Section IX.C.2 proposed in the Staff Report.

The Alliance for Communications Democracy

Presentation

- Janus Norman, CalBroadband

Impacts of the Staff Report Recommendations and Implementation of Customer Service Standards

Competition

- Rapidly Evolving Video Marketplace
- Existing Regulatory Imbalance Disadvantages Franchise Providers
- Proposed Standards Would Further Widen The Competitive Disparity

Consumers

- Existing Customer Service Protections Are Already Robust
- Innovation Provides Consumers With Expanding Service Options
- Proposed Mandates Offer Limited Incremental Consumer Benefit While Increasing Costs

Thank you

Panel 1 Discussion and Questions

LUNCH BREAK

Public Comments @ 1:15 p.m.

PANEL 2: Cost of Implementation

The Costs of Implementing the Proposed DIVCA Customer Service Standards

MODERATOR:

Gregory Rubenstein, Regulatory Analyst, Communications Division

Panel 2: Panelists

- Wesley Udell, CalBroadband
- Shayna Englin, California Community Foundation

Presentation

- Wesley Udell, CalBroadband

Costs of Implementing Proposed Customer Service Standards

Direct Operational Costs

- Increased staffing, training, reporting and system costs
- Multiple call-answer time standards require separate tracking, monitoring, and compliance processes
- Billing and Tracking systems may require significant modification
- Vague or ambiguous credit requirements increase disputes and could trigger automatic credits unrelated to actual customer harm

Competitive and Market Impacts

- Over the top ("OTT") streaming services remain exempt from comparable requirements
- Streaming now accounts for a larger share of total TV viewing than ***all MVPDs combined***
- New obligations imposed only on cable providers would deepen the regulatory imbalance with OTT competitors
- Compliance resources would be diverted from customer-facing improvements without improving competitive outcomes

Thank you

Panelist Input

- Shayna Englin, California Community Foundation

Panel 2 Discussion and Questions

AFTERNOON BREAK

Public Comments @ 2:30 p.m.

PANEL 3: Potential Alignment

Potential Party Alignment on Proposed Baseline Customer Service Standards and Other Scoped Issues

MODERATOR:

Julian Buchwalter, Advisor to Commissioner Karen Douglas

Panel 3: Panelists

- Tracy Rosenberg, Media Alliance
- Torry Somers, Charter Communications
- Brian Bottari, Comcast Cable Communications

Presentation

- Tracy Rosenberg, Media Alliance

1

Panel #3
Workshop R.23-04-006

Potential party alignment on proposed baseline customer service standards and other scoped issues

1

ACM, ACD, and MA present these comments jointly with CA Alliance for Digital Equity member groups Digital Equity-LA and California Community Foundation, who are both parties to this proceeding, but could not attend in-person from Southern California.

These comments will initially address the contents of the Staff Report and then will address some items not currently contained in the Staff Report.

We will briefly touch on the six primary sections of the Staff Report and try to identify where some alignment exists and where it does not, at least in our view.

1. Customer Service Standards Subject to Bill Credits

All parties seem to basically agree on the standards. We agree with the companies that “busy signals” may be antiquated term and that service outages are sometimes resolved remotely and a 24 hour standard could apply to “evaluating problem and attempting to remedy it”

Companies express concern regarding reporting requirements and auto bill credits, largely saying that their systems are not set up. Consumer advocates would be open to an implementation schedule that allows for some system modifications. But we are not open to customer standards that are not measured and whose violations are consequence-free because those are not genuine customer service standards.

Section 2 – Complaints

Consumer parties and the companies agree that an informal complaint process through the CAB (Consumer Affairs Bureau) is desirable.

The companies do not want the ALJ Division to establish a formal complaint process. This introduces the question of what happens if a complaint is not informally resolved through the CAB or in other discussions with the company. We don’t think “nothing happens” is an acceptable answer, so we support the creation of a formal complaint process when a complaint is otherwise unresolved and the consumer wishes to achieve a resolution.

Section 3 – Reporting

SB 28, the originating legislation for this rule-making specifically requires more granular reporting from video franchises and both consumer advocates and the companies agree on that.

The Staff Report also envisions enhanced reporting on compliance with the new applicable customer service standards and other metrics that the Commission deems appropriate to understand the customer experience and assess the need for additional standards.

The companies object to the additional reporting. Consumer advocates believe that the additional reporting is necessary for the Commission to monitor the usefulness and compliance levels with the standards established in this proceeding and to consider modifications, additions or subtractions to the standards. It seems difficult for the Commission to do the task SB 28 asks it do – establish customer service standards – without some sort of process for seeing how standards work out in the field and what new issues may arise as technology changes and business models evolve.

Section 4 – Enforcement

The Staff Report envisions adjusting GO-169 to clarify that the Commission’s general enforcement standards apply in the video franchise context covered by GO-169. The Staff Report also envisions adding a section enabling the Commission to initiate proceedings when appropriate.

The companies generally object to any changes to enforcement.

Consumer advocates believe it is implicit that instructions to create customer service standards include enforcing those standards because if that is not included then the exercise is largely pointless. Customers only benefit from customer service standards if those standards are practiced, and if there are consequences for their violation. We don’t believe the intent of SB 28 was meaningless words on paper that cannot be enforced.

It seems rational to us to tie the enforcement protocol to general Commission procedures as the Staff Report suggests and to maintain the right to open proceedings when there is a need to do so. If the standards are to evolve as technology involves, then there has to be an iterative process to revise, review and enhance the standards set up in this proceeding, which would require another proceeding.

Renewal Process

The staff report suggests that additional public participation in the once every ten years renewal process is warranted. Consumer advocates heartily agree. Ten years is a long time and communities should be heard about what is going on.

The companies generally object, preferring the existing model of a ministerial review of extremely short duration that largely cuts consumers and communities out of any discussion and removes any evaluation of how customers are being serviced.

Consumer advocates suggest that feedback about the relative satisfaction level with the franchisee from the customers it serves is important for the Commission to hear and it makes sense to make space for this in the context of the once a decade renewal.

Section 6 – Public Benefit PEG Channels

The Staff Report notes significant feedback on this subject at the Public Participation Hearings, but is silent on proposed actions. Consumer advocates have proposed specific additions to new customer service standards that address the issues raised at the PPH.

Transmission delivery in the standard content is delivered to the franchisee. We would not demand that franchisees improve or enhance content they receive from non-commercial stations. Similarly that content should not be degraded or down-converted. Industry standards in 2026 are not the same as in 2006.

Programming Guide treatment should be equilateral between commercial and noncommercial stations

Accurate channel package information

The companies argue this is out of scope, but the audiences for public benefit channels are customers and they should get what they pay for delivered in a functional, workable and just manner.

Alliance for Community Media

The Alliance for Communications Democracy

MEDIA ALLIANCE

CADE

- Finally, the Staff Report suggests that enhanced penalties be available when there is egregious or significantly disparate treatment of ESG communities.

  Consumer advocates agree that this provision of the Staff Report is aligned with the Commission's ESG principles and policy.

  Companies argue that they are not public utilities, and thus should be exempt from any ESG policy, but the ESG Action Plan specifically incorporates consumer protection into its goals and asks the Commission to integrate ESG concerns into "all" proceedings.

  Goal 6: Enhance enforcement to ensure safety and consumer protection for all, especially for ESJ communities.

- 6.1 Protect ESJ

- 6.3 Apply ESJ Lens to CPUC Enforcement Policy

Presentation

- Torry Somers, Charter Communications
- Brian Bottari, Comcast Cable Communications

Panel 3 - Video Franchise Holder Perspective

Align with Senate Bill 28

- SB 28 authorizes three targeted actions: customer service requirements, complaint adjudication, and granular data on served locations (already implemented)

Don’t Reinvent the Wheel

- Existing federal and state frameworks already address outage repair, installations and call answer time

Tailor Rules to Network Operations

- Adopt commonly-accepted regulatory practices that reflect real-world network operations, including application during normal operating conditions

Panel 3 Discussion and Questions

Public Comments @ 3:30 p.m.

Closing Remarks

- Commissioner Darcie L. Houck
- Commissioner Karen Douglas

For more information:

videofranchising@cpuc.ca.gov

https://www.cpuc.ca.gov/videofranchising

https://www.cpuc.ca.gov/regulatory-services/licensing/video-franchising/video-franchise-workshops