BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

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Order Instituting Rulemaking Proceeding to Consider Service Quality Rules for Wireless Carriers.	R. 26-02-017

T-MOBILE WEST, LLC dba T-MOBILE'S OPENING COMMENTS ON ASSIGNED COMMISSIONER HOUCK'S PROPOSED DECISION ADOPTING SERVICE QUALITY RULES FOR WIRELESS CARRIERS

PUBLIC VERSION

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Per Rule 14.3, and as discussed in the attached Comments, T-Mobile recommends that all references to in the Proposed Decision ("PD") to factual findings that are inaccurate, contrary to the record, or otherwise not supported by the record, should be deleted and/or modified. In particular, some of the key proposed modifications are noted below:

- The evidentiary standard noted in the PD is inaccurate and inconsistent with Commission practice.
- The Staff's failure to provide the data and workpapers it relied on in preparing the Staff Proposal poses serious legal and equitable issues.
- The wireless providers submitted voluminous and verified data/information to create a robust record in this proceeding as directed by the Commission.
- Wireless network uptime is over 99.8% and outages are limited and declining steadily.
- T-Mobile's customer care compliance cost estimates are credible and relevant to the proposed Customer Care Standard in the PD.
- The impact of estimated compliance costs on wireless customer bills cannot be determined in a competitive market.
- The record does not support the imposition of a mandate to require that 80% of wireless calls be answered in 60 seconds.
- PUMAs do not provide a reliable or meaningful way to monitor network availability.
- There are no are uniform signal power levels (-dBm levels) for all carriers across multiple technologies that "establish" outdoor, indoor and in-vehicle voice coverage.
- Publicly available maps provide consumers with detailed, street-level propagation metrics across all carriers and technologies.
- The record does not address how, or if, the proposed General Order 133-F mandates would benefit consumers.
- The Commission should monitor wireless outages, network availability, and customer care through reporting to better understand the wireless industry for the benefit of California consumers.

Thus, in light of the record, the PD – and proposed General Order 133-F in particular, should be modified as follows:

- Revise Section 2.4 (Cal EOS Community Isolation Reporting Requirement) to focus exclusively on outages over 24 hours.

- Revise Section 2.5 (Network Availability by PUMA Reporting Requirement) to focus on county level quarterly reporting instead of PUMA level reporting.

- Revise Section 2.6.ii (Wireless Customer Service Standard) to provide for first contact resolution and 5-minute answer time percentage reporting/monitoring in place of the 80/60 performance metric with penalties.

- Delete Section 2.6.v. (Wireless Customer Service Standard re Inquiries) in its entirety.

- Revise Section 2.7 (Signal Propagation Map Requirement) to require the submission of the signal propagation data provided to the FCC to the Commission in place of requiring misleading and inaccurate signal propagation maps. Schedule a workshop to further discuss mapping issues.

Table of Authorities

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T-MOBILE WEST, LLC dba T-MOBILE'S OPENING COMMENTS ON ASSIGNED COMMISSIONER HOUCK'S PROPOSED DECISION ADOPTING SERVICE QUALITY RULES FOR WIRELESS CARRIERS

Pursuant to Rule of Practice and Procedure 14.3, T-Mobile West LLC dba T-Mobile (U-3056-C), on behalf of itself and its affiliates (collectively referred to as "T-Mobile""),[1] submits the following Opening Comments on Assigned Commissioner Houck's Proposed Decision Adopting Service Quality Rules for Wireless Carriers (released October 30, 2026) (the "Proposed Decision" or "PD).

I. INTRODUCTION

T-Mobile appreciates the PD's movement towards a reporting paradigm with respect to network outages as well as its determination to pare back some of the most problematic customer care recommendations contained in the Staff Proposal.[2] However, the PD and the proposed General Order still rest on substantive factual, technical and legal errors that should be revised for consistency with the record and the law.

In particular, the PD would impose customer care and propagation mapping mandates on the basis of the following factual, legal, and technical errors:

- The record supports establishing customer care standards;
- Carrier cost estimates are not credible; and
- Signal propagation maps are more useful and are not publicly available.

The PD also includes other material errors, including but not limited to the assertion that wireless outages represent a significant service quality problem. At its core, the PD should be revised to ensure that it is consistent with its own admonition that "[t]he Commission can only make findings based on the record it has."[3] California consumers, carriers and the public deserve no less.

II. COMMENTS

In the prior proceeding, the Commission recognized that the record developed at that time was insufficient to determine whether service quality mandates were necessary in the context of the wireless

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[1] T-Mobile West's affiliates include Assurance Wireless USA, L.P. dba Assurance Wireless (U-4327-C), MetroPCS California, LLC dba Metro by T-Mobile (U-3079-C), Mint Mobile, LLC dba Mint Mobile (U-4532-C), Sprint Spectrum LLC dba T-Mobile (U-3062-C) and UVNV, LLC dba Ultra Mobile (U-4441-C). All of these entities are separately registered wireless carriers that utilize the same network and are otherwise wholly owned subsidiaries of T-Mobile USA, Inc.

[2] In particular, the PD does not propose to include either the "first prompt" or the 30-minute callback recommendations from the Staff Proposal. As discussed previously, those recommendations presented a host of legal, operational and cost issues. *See, e.g.,* T-Mobile's Opening Comments on Staff Proposal (September 8, 2026) at 24-31 (discussing the proposed Customer Service Standards in Staff Proposal).

[3] *See* PD at 73.

industry.[4] Thus, at the onset of this proceeding, and consistent with sound regulatory practice, the Commission committed to building a robust record to determine "whether the Commission should adopt service quality metrics and standards for wireless carriers, and if they are determined to be necessary, what those rules should be."[5] T-Mobile – as well as its competitors – have fully supported that goal throughout this proceeding.

The PD, however, ignores the question of whether service quality standards are necessary in its analysis and flatly disregards the record developed in this proceeding. Further, its characterization of wireless service simply does not comport with the state of the industry or the everyday experience of California consumers who are using their wireless service in ways, and at a volume, which would have been unimaginable a decade ago.[6] The fact that so many Californians choose wireless service, however, does not mean that regulatory mandates are necessary or even desirable.[7] That is simply not the case as a matter of sound regulatory practice, economic principles, market realities, or consumer experience, and such reasoning is not a substitute for the law or the record.

To that end, T-Mobile offers the following Comments which both highlight some of the most critical factual errors in the PD (Section II.A., *infra.*) and address the record for the proposed mandates while offering modifications designed to address those errors and/or otherwise improve the proposals in the PD (Sections II.B - E, *infra.*).

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[4] *See, e.g.,* D.26-02-038 at 4 ("Given the vintage of the data discussed above, including that the NORS data was from 2021 and the CalOES data was from 2023, …, this appears to be an opportune time to close this proceeding and open a new one to refresh the record.")

[5] *See* Order Instituting Rulemaking Proceeding to Consider Service Quality Rules for Wireless Carriers (March 2, 2026) (the "OIR") at 11-12; *see also id.* at Ordering Paragraph 1 ("…the Commission institutes this rulemaking to consider changes to General Order 133-E, including whether to apply the service quality standards in General Order 133-E to wireless voice service and internet service."); *id.* at 11 (initial scoping issues include whether "any existing service quality metrics should be extended to wireless" and "[s]hould the Commission modify any of the existing service quality metrics and standards or develop new service quality standards and reporting requirements applicable to wireless voice services?"). This is not a novel concept as the Commission recognized almost two decades ago "[t]he Commission must be sure that any new rules that we adopt, or any existing rules that we extend to new market participants [wireless carriers], address clear problems and are narrowly crafted." *See* D.06-03-013 at 4 (decision adopting Consumer Bill of Rights).

[6] *See, e.g.,* T-Mobile's Opening Comments on Staff Proposal at 7-8 and 36 (discussion of the various ways consumers utilize wireless service as well as industry innovations including unlimited plans, no long term contracts, technological improvements for both cell sites and smartphones, and the use of satellite technology).

[7] The wireless industry in 2026 is more robust, more affordable and more reliable by any measure than it was when the Commission last considered whether to impose service quality rules on wireless carriers and declined to do so in 2016. *See* D.16-08-021 at 2 ("First, the Commission has taken a more hands-off approach for non-traditional services, with reliance on competition to ensure reasonable service and rates.").

A. The Errors in the PD Must be Addressed

As directed by the Commission, the wireless carriers have submitted extensive information in an effort to build a robust record in this proceeding. That information has included, among other things, both confidential and publicly available data, internal metrics, cost estimates with detailed workpapers, operation policies and procedures, technological explanations and workshop presentations. Moreover, this information has been verified by internal subject matter experts with years of experience in their respective areas of practice or has otherwise been submitted in the form of declarations.[8] Neither the Staff, nor any other party to this proceeding, has done the same.

1. The Staff Has Not Yet Provided the Parties with its Workpapers

The PD relies on the Staff Proposal as the basis for the mandates in the proposed General Order.[9] Staff, however, apparently relied on yet undisclosed data and analysis from Cal OES, and various statements in PPHs, as the bases for its recommendations in its Proposal. Based on information revealed at the Staff Proposal Workshop, they apparently did not review or consider the evidence submitted on the record by the Wireless Parties.[10] Notably, the Staff has yet to disclose the data, related methodology for analyzing the data, or workpapers it relied on to formulate its Proposal, despite repeated requests for this information.[11]

The integrity of the regulatory process, however, is undermined if the Commission can impose mandates based on "undisclosed" information. Courts have long recognized that a party cannot meaningfully evaluate what it has not been permitted to see, and that an agency may not rely on data "known only to the agency" in adopting a rule. Nor may an agency intentionally or unintentionally hide

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[8] *See, e.g.,* T-Mobile's Opening Comments on Staff Proposal at 3-5 (discussion of the record evidence submitted by T-Mobile in this proceeding with citations); *see also* Wireless Parties' Request for Commission Review of ALJ Rulings at Attachment A (summary of information provided by the wireless carriers in the course of this proceeding).

[9] *See, e.g.*, PD at 85, t Finding of Fact ("FOF") 6 and n. 274 (cites Staff Proposal as source for Cal OES data summary).

[10] *See e.g.* Staff Proposal Workshop (August 27, 2026) Recording at 0:39:21 (Q – T-Mobile counsel Bloomfield ("Bloomfield"): "Is there any other dataset that you have that has that [Cal OES outage causation] information that you plan on looking at?..."), *id.* at 00:39:44 (Q - Commissioner Houck: "For purposes of his question, this is the only dataset staff looked at, correct?"; Wylen Lai, Staff ("Lai"): "Yeah."). *See also id.* at 02:04:53 (Q – T-Mobile counsel Stephen Kukta ("Kukta"): "Has staff done any research to suggest that California customers are dissatisfied with their wireless carriers customer care?"; A – Lai: "…if you guys have done some research, we welcome you guys to put those in comments.").

[11] On November 10, 2026, the Commission's Public Records Act Staff confirmed by email that CTIA's request for this information was still pending.

the basis for a rule and make parties search for it piecemeal, disclosing only what it chooses.[12] Either the record of this matter should be reopened so that the Staff data and workpapers can be reviewed in the light of day or any reliance on that data in the PD should be, at a minimum, closely scrutinized.

2. The Evidentiary Standard in the PD is Incorrect

The PD restates the same legally indefensible standard for the introduction of evidence into the record of this proceeding that was initially articulated in the ALJ's prior ruling in this docket:

> "At a minimum, evidence requires an attestation to the truth of the matter from an independent expert witness. AT&T, CTIA, T-Mobile, and Verizon did not make that attestation. Still, parties are permitted to use this information as argument."[13]

As discussed in the pending Motion for Review of ALJ Rulings, no such requirement appears in the Commission's Rules of Practice and Procedure or in any relevant statute or judicial precedent.[14] Moreover, to the extent this standard has been incorporated in the PD to discount the voluminous and verified responses/information/data provided by the carriers as "argument," it must be corrected. For example, as discussed below, it is not "argument" that the that the uptime for the past 5 years based on Cal OES outage data is over 99.8%. It is not "argument" that there is no record of consumer issues with wireless customer care. It is not "argument" that there are no are uniform -dBm levels for all carriers across multiple technologies that "establish" outdoor, indoor and in-vehicle coverage. Those are all facts based on the actual record developed in this docket.[15] To dismiss the robust record created by the wireless parties at the Commission's explicit direction as "argument" would undermine the fundamental purpose of the proceeding and otherwise be arbitrary and capricious.[16]

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[12] *See, e.g.,* Wireless Parties Request for Review of ALJ Rulings (September 15, 2026) at 7-8 (discussion of serious legal and equitable issues with staff's failure to disclose information it relied on in preparing Staff Proposal and related case law).

[13] PD at 40, n. 148.

[14] *See, e.g.,* Wireless Parties' Request for Commission Review of ALJ Rulings at 11*; see also* Rule of Practice and Procedure 13.7(e) (in the context of a hearing, "All documents that are prepared, directly or indirectly, by the party offering them into evidence shall be certified under penalty of perjury by the person preparing or in charge of preparing them as being true and correct…"); *see also* Rule 1.11 (verifications "must be made either by affidavit sworn or affirmed before a notary public or by declaration under penalty of perjury."). Given that no hearing was conducted in this proceeding and the fact it is quasi-legislative, it is not even clear how the formal evidentiary standard would be applicable. Nonetheless, the verification of the information provided by the wireless parties goes to the weight and veracity of the information provided.

[15] *See, generally,* Section II.B and Section II.E, *infra*

[16] Notably, the legal standard incorporated into the PD could even be read to suggest that the record is *devoid of evidence entirely* given that Wireless Parties' evidence has been submitted with attestations from internal subject matter experts – not "independent expert witnesses" - and no other party (including Cal PA or any Intervenor), nor the Staff, has submitted evidence accompanied by any declarations or verifications. A quasi-legislative decision that is "arbitrary, capricious, or entirely lacking in evidentiary support" is an abuse of discretion. Pub.

3. The PD Ignores the Wireless Outage Data in the Record

The PD erroneously asserts that wireless outages as measured by Cal OES Community Isolation Reports have increased and "remain[ed] high" the past three years and are a "significant service quality problem" that warrants further reporting. In particular, the PD provides as follows:

> "…the record in this proceeding illustrates the Commission's previous finding that outages are a significant service quality problem for California consumers. Outages remain high…"[17]

This is not only untrue, it is a conclusion that can be reached only by ignoring the voluminous Cal OES data provided by the carriers in this docket. That data included detailed Cal OES outage data *by ZIP Code* – with outage durations - from the inception of Cal OES Reporting in 2020 through the end of 2025. That data conclusively establishes the following:

- The number of ZIP Codes impacted by Cal OES outages has steadily decreased for the past three years using the current 25% threshold (adopted as of October 2022) or the initial 50% threshold.[18]
- The increase in the number of Cal OES outages between 2021/2022 and 2023 was the result of the change in the reporting threshold from 50% to 25% of a ZIP Code in October 2022. [19]

Indeed, as noted above, the record of this proceeding further confirms that the Staff apparently *did not review* the data provided by the carriers in preparing the Staff Proposal and yet the PD relies exclusively on the Staff Proposal. Instead, the Staff apparently relied on information provided by Cal OES regarding the gross number of reports (not impacted ZIP Codes as provided by the carriers),[20]

Util. Code § 1757.1(a)(1); *Applied Medical Resources Corp. v. Public Utilities Com.*, 122 Cal.App.5th 349, 367 (quoting *California Community Choice Assn. v. Public Utilities Com.* (2024) 103 Cal.App.5th 845, 856). A standard under which no party's evidence qualifies would leave the PD in exactly that position.

[17] *See* PD at 33. *See also id.* at 85 at FOF 5 ("The number of wireless voice service outages is excessively high, as are the service restoration periods.").

[18] *See* Second Motion of CTIA to Submit Aggregated Data (August 31, 2026) at Attachment B. Overall, wireless network uptime for the past 5 years has been consistently high, averaging over 99.8%. *Id.* at Attachment A (Cal OES Uptime Percentages from 2021 – 2025 based on detailed ZIP Code and outage duration information provided by the carriers to the Commission). As the record makes clear, by any measure, wireless network availability and uptime is close to 100%. *See, e.g.* T-Mobile Reply Comments re Opening Comments on Staff Proposal (September 15, 2026) at 3 at n. 5, in particular.

[19] The PD does not even mention, or take into account, the change in the Cal OES reporting threshold in October 2022; a fact that was similarly ignored in the prior proceeding. That change in threshold, from 50% to 25%, accounted for the "increase" referenced in the PD as well as in the prior proceeding. *See, e.g.,* Second Motion of CTIA to Submit Aggregated Data at Attachment B (Average number of ZIP Codes impacted by Cal OES Outages under both the 50% and 25% threshold from 2021 – 2025).

[20] Two of the carriers confirmed that their Cal OES Outage Reports can (and do) often identify more than one impacted ZIP Code. Therefore, the staff are counting all reports as equal even though some impact only one ZIP Code while others impact many. *See, e.g.,* T-Mobile's Response to the OIR (April 1, 2026) at 15, n. 29 ("T-

Information that to date has not been provided to the parties. Moreover, even if the Commission were to take the PD's reliance on the Staff's data at face value, it reflects at most a stable number of outages and a consistent decrease in the number of outages over 24 hours from 2023 - 2025.[21] In sum, the record does not support the finding that outages are a significant issue that warrants regulatory intervention, and the factual misstatements in the PD should be corrected to reflect that record.[22]

4. The PD's Dismissal of the Cost Estimate Information is Factually Incorrect

The PD's dismissal of T-Mobile's compliance cost estimates associated with the Customer Care mandates errs in two ways: (1) by comparing two entirely different cost estimates from two different proceedings involving wholly and materially distinguishable proposed mandates, and (2) by dismissing the extensive cost estimates altogether by asserting that those estimates did not account for the changes to the Staff Proposal incorporated into the PD.

First , the PD asserts, those cost are not credible and should be afforded "no weight" because they are "more than 15 times the cost estimate submitted in 2025 in R.22-03-016 and almost 20 times more full-time employee [sic]" to meet the same standard.[23] This is demonstrably untrue. As the record makes clear, the first cost estimate was associated with a 24/7 customer care access line and an 80/60 (80% of calls answered within 60 seconds) proposed mandate in the prior proceeding. That proposed mandate had no "first prompt" requirement and thus there were no estimated costs associated with potentially altering the current IVR system. [24]

By contrast, the far higher estimate in this proceeding addressed the same 24/7 access line and 80/60 mandate, plus a wholesale rebuild of T-Mobile's IVR system that the Staff Proposal's "first prompt" requirement could have necessitated. As Mr. Consalvo stated in his declaration, he prepared :

Mobile's Initial and Final Reports can include more than one ZIP Code."); *see also* Verizon's Response to the OIR" (April 1, 2026) at 16 ("Verizon reports its outages to CalOES by email and if an outage affects more than one zip code, reports all affected zip codes within one email report.").

[21] *See, e.g.,* PD at 85 at FOF 6 (includes number of outages per the Staff Proposal (5902 to 5615 to 5956) as well as the number of outages over 24 hours (576 to 401 to 372) from 2023 – 2025).

[22] T-Mobile suggests that the Cal OES Reporting Requirement be revised to make it more consistent with the monitoring concerns raised in this proceeding. *See* Section II.C, *infra.*

[23] *See* PD at 75-76 ("A review of the cost estimates submitted by T-Mobile shows similar credibility issues, as the staffing-related estimate submitted in 2026 is more than 15 times the cost estimate submitted in 2025 in R.22-03-016 and almost 20 times more full-time employee. Given this large inflation, the Commission deems this estimate as not credible and affords it no weight."); *see also id*. at FOF 23 ("The estimate of compliance costs for the proposed customer service standard submitted by T-Mobile is inflated and not credible.").

[24] *See* T-Mobile Response to OIR Information Requests at Attachments DIR 2-1 (Consalvo Cost Estimate Declaration from R.22-03-016) and Attachments GIR 3-1 to 3-4 (Consalvo Workpapers).

" separate estimates for both the 24/7 and 80/60 requirements *depending on whether T-Mobile's current IVR system is considered compliant with the "first prompt" mandate.*[25]

The Declaration then went on to provide two separate – and dramatically different – cost estimates for the scenario where the "first prompt" proposal required a change to the IVR system (vastly more expensive and requiring more FTEs) (the "Rebuild IVR Estimate") and where it did not (the "Maintain Current IVR Estimate"). [26] In addition, Mr. Consalvo provided a summary of the cost estimates, as well as detailed workpapers with summary tabs, which clearly delineates the difference between the Maintain Current IVR Estimate (similar to the cost estimate in the prior proceeding) and the Rebuild IVR Estimate.[27]

Second, the PD seems to dismiss the extensive cost estimate information provided with respect to customer care by asserting that those estimates did not account for the changes to the Staff Proposal incorporated into the PD (e.g., the elimination of the "first prompt" rule and the 30-minute call back mandates).[28] The PD, again, is factually incorrect. T-Mobile's Maintain Current IVR Estimate did not include estimated costs for the 30-minute callback provision and, as discussed above, did not attribute any costs associated with the proposed "first prompt" provision in the Staff Proposal.[29] Thus, that cost estimate of **[BEGIN CONFIDENTIAL]** [redacted] **[END CONFIDENTIAL]** in annual costs, the addition of approximately **[BEGIN CONFIDENTIAL]** [redacted] **[END CONFIDENTIAL]** full-time equivalents ("FTEs") and **[BEGIN CONFIDENTIAL]** [redacted] **[END CONFIDENTIAL]** in one-

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[25] *See* T-Mobile's Opening Comments on Staff Proposal at Confidential Attachment C, Declaration of John Consalvo (cost estimates Customer Care Mandates in Staff Proposal) at ¶ 16 (emphasis added).

[26] *See id.* at ¶¶ 17 (cost estimate with no change to IVR) and 18 (cost estimate with change in IVR required. The estimate referenced in the PD from the prior proceeding referenced in the PD (where there was no "first prompt" proposal) is comparable to the cost estimate in ¶17 as both address the 24/7 and 80/60 mandates without the need to alter the current IVR system. Those estimates are consistent although the current estimate is more comprehensive as it includes such items as back office support and rent; costs that were not included in the estimate for the prior proceeding. *Compare* T-Mobile Opening Comments on OIR, Attachment DIR 2-1 at ¶ 8 to T-Mobile Opening Comments on Staff Proposal, Attachment C (Consalvo Cost Estimate Declaration re Customer Care Mandates in Staff Proposal), at ¶ 17.

[27] *See* T-Mobile's Opening Comments on Staff Proposal at Attachment C, Declaration of John Consalvo at ¶ 16, *id.* at Confidential Attachment A (summary of compliance cost estimates for each of the Staff Proposal Customer Service Mandates); *see also id.* at ¶ 19 and Confidential Attachment B (summary tabs and supporting workpapers).

[28] *See* PD at 80 (in the context of discussing customer bill impacts, the PD dismisses Verizon's estimate because, among other things, it included estimates for "…the other two largest expenses are for proposed rules the Commission is not adopting here: the first prompt rule and the 30-minute call back requirement." (fn omitted)).

[29] *See* T-Mobile's Opening Comments on Staff Proposal at Confidential Attachment C, Declaration of John Consalvo at ¶¶ 14 (unable to evaluate 30-minute callback in limited time) and 17 (estimate with no costs for "first prompt"); *see also id.* at Confidential Attachment A ("Notes" column for Maintain Current IVR provides, in part, "[d]oes not include estimate for the 30-minute callback recommendation at this time").

time costs are directly applicable to the proposed Customer Care Mandate in the proposed General Order 133-F.

5. The PD's Characterization of Carrier Information on Customer Bill Impacts is Incorrect.

The PD erroneously characterizes T-Mobile's (as well as the other carriers') verified explanation that the impact of estimated compliance costs on customer bills cannot be determined as a refusal to cooperate and to provide information to the Commission.[30] That is not accurate and is, at best, a distortion of the information provided. As T-Mobile has consistently stated, it is unable - not unwilling - to estimate at this time what, if any, additional regulatory compliance costs would be passed on to subscribers, and if so, to which subscribers or in what format (e.g., rate plan increases, surcharges, state-specific regulatory program cost recovery fees, etc.).[31] In other words, the issue is not the responses, but with a question seeking information that does not exist. In a competitive industry, whether and how costs are passed on, if at all, is driven by many factors, none of which can be predicted in advance.

As the record makes clear, the PD's discussion of potential customer bill impacts is contrary to basic economic principles and appears to parrot the Staff Proposal, ignoring the realities of a competitive market and inexplicably rooted in an archaic and oversimplified rate-regulated monopoly paradigm.[32]

B. The Imposition of the Proposed Customer Care Mandates is Unjustifiable

The PD errs when it asserts that (i) since Customer Care mandates apply to wireline and VoIP it should also apply to wireless, (ii) the wireless carriers delayed or failed to provide the Commission with data and (iii) the record supports the imposition of the customer service mandates. None of these withstand scrutiny.

The fundamental position put forward by the PD is that the service standards imposed on wireline and VoIP providers should be applied to wireless so that all the telecommunication providers

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[30] *See, e.g.,* PD at 79 ("When the Staff Proposal was issued, carriers received one final opportunity to estimate ratepayer costs.").

[31] *See* T-Mobile Opening Comments on Staff Proposal at 40-41 (discussion explaining T-Mobile's inability to provide this estimate); *see also* T-Mobile's Response to OIR Information Request at 11-12 (same). *See also* Verizon's Response to the OIR at 13 (" It is not possible or analytically sound for Verizon to specifically quantify a price change resulting from the increased cost complying with a new or expanded regulation.").

[32] *See, e.g.,* Staff Proposal at 8 ("If carriers cannot show whether compliance costs are incremental costs to existing operating budgets and that such costs would be passed on to customers, which customers would be affected, or how much bills would increase, then those cost claims should be given limited weight."). *See also id.* at 13 ("The relevant question is not whether service quality standards impose a compliance cost, but whether the carriers have shown that those costs are unreasonable in relation to the size, revenues, and resources of their wireless businesses and that these costs will necessarily result in higher monthly customer bills.").

have to meet the same standard. Such a conclusion ignores the fundamental differences between the services these providers offer as well as their respective customer bases. If the fact that these mandates apply to landline and VoIP providers were a sufficient basis to impose them on wireless providers, it would undercut the Commission's core direction in this proceeding: to develop a robust record to determine whether there is an actual issue in the *wireless* industry and, if so, how to solve it.

That point should resonate even more given Staff's acknowledgment that it did not determine that there was an issue with wireless customer service in the first place.[33] To the contrary, the Staff was clear the wireless carriers "already operate sophisticated customer service systems."[34] Moreover, the Staff explicitly acknowledged that the issue they were focused on was that the Commission lacks "standardized, comparable information about whether customers can reach assistance to get their issues resolved" or whether they are "resolved" in a timely manner.[35] Thus, the Commission should look to a reporting/monitoring paradigm for customer service in the same way it did for network issues;[36] not a paradigm based on a rigid (and inapplicable) metrics and penalties.

In addition, the PD ignores the record on wireless customer care. It fails to recognize the undisputed evidence that wireless customer care reflects the diverse scope of issues and services available in today's wireless market,[37] and to an ever-increasing extent, that customers want options for dealing with customer care with an ever-increasing number preferring automated options.[38] Perhaps most tellingly, first contact resolution – not speed of answer for those who chose to speak with a live

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[33] *See, e.g.,* Staff Proposal Workshop Recording at 02:04:53 (Q – Kukta: "Has staff done any research to suggest that California customers are dissatisfied with their wireless carriers customer care?"; A – Lai: "…if you guys have done some research, we welcome you guys to put those in comments.").

[34] *See* Staff Proposal at 23 ("The carriers' customer service claims show that they already operate sophisticated customer service systems, but those internal systems do not provide the Commission with standardized, comparable information about whether customers can reach assistance to get their issues resolved.").

[35] *See id.* ("However, internal customer service systems do not provide the Commission with comparable information about whether automated systems delay access to live representatives, whether customer service performance varies by carrier or community, or whether outage and service quality complaints are resolved in a timely manner.").

[36] *See* PD at 41-42 (acknowledging that outages causation and other network issues are complicated, and as such penalties are not appropriate this time).

[37] *See, e.g.,* T-Mobile's Response to Request for Additional Information at 19-20 (Unlike the landline customers, wireless "[c]ustomers call with inquiries on anything from how to recharge their phone, to how to stream their favorite movie on Netflix, to where their photos are stored on their device, to how to set up a hot spot with their laptop, to how to set up Google Pay.").

[38] *See, e.g., id.* at 20 ("…including such features as chat functions, self-service apps, web searches, automated phone menus (IVRs), and callback functions.").

representative – is a core principle of wireless customer service.[39] In other words, it is critical that the customer get to the most appropriate service representative with the proper expertise to address their concern; not just the one they can get to most quickly. Thus, any reporting requirements should focus on call resolution as the record establishes this is a guiding principle of wireless customer care.

The PD, however, attempts to shift the narrative by alleging that carriers failed to provide the Commission with requested information regarding customer care/answer times or otherwise delayed providing requested information and the proceeding itself. .While the carriers and CTIA are entitled to advocate their positions in a zealous manner [that there is no evidence of issues with customer care wait times for a live representative], they cannot fail to provide information that they have control over and then argue that there is a lack of information in the record to support a premise. The Commission also is not required to postpone a proceeding when a party fails to provide information or intentionally delays.[40]

As noted above, the record indisputably demonstrates that this allegation is factually untrue. For example, T-Mobile provided – and verified – the following as requested by the Assigned Commissioner or the Assigned ALJ:

- Estimated customer care compliance cost estimates with detailed workpapers and summaries;[41]
- Key Customer Care KPIs and internal metrics re KPIs and ASA;[42]

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[39] *See, e.g. id.* at 21 ("… given the breadth of inquires covering diverse topics, it becomes even more important that the customer gets to the most appropriate service representative with the proper expertise to address their concern than that their call get answered more quickly but by a service representative who cannot properly address their concern."); s*ee also* Stakeholder Workshop Recording (June 25, 2026) at 1:10:49 (Senior Director of Customer Experience for T-Mobile John Consalvo: " You know, first call resolution is primary for us. If you're going…to contact us in the first place, I want to make sure you don't have to contact us again.").

[40] *See* PD at 73 ("While the carriers and CTIA are entitled to advocate their positions in a zealous manner [that there is no evidence of issues with customer care wait times for a live representative], they cannot fail to provide information that they have control over and then argue that there is a lack of information in the record to support a premise. The Commission also is not required to postpone a proceeding when a party fails to provide information or intentionally delays."); *see also id.* at 71 ("Absent from CTIA's commentary [that there is no evidence of consumer issues with wireless answer times] is the delays of AT&T, T-Mobile, and Verizon, all CTIA members, in submitting this data, despite the Commission ordering it on multiple occasions. The carriers did not provide complete responses until July 27, 2026, or even later, in some cases, given the data carriers included in their opening comments.").

This is essentially nothing more than a reiteration of the ALJ's prior rulings and unsupported allegations of carrier bad faith; all of which have been refuted previously. *See e.g.* CTIA Request for Review of ALJ Rulings at 10 ("Despite this record, the ALJ's Extension Ruling nonetheless clearly implies that the Wireless Parties have not acted in good faith …. That characterization is incorrect, and directly contradicted by the record of the Wireless Parties' good faith participation as summarized above." (footnote omitted)).

[41] *See, e.g.,* T-Mobile's Opening Comments on Staff Proposal at Confidential Attachment C (Declaration of John Consalvo – and Supporting Workbook Materials).

[42] *See, e.g.,* T-Mobile's Response to OIR Information Requests at 10 (identifying standard key network and

- Detailed explanation of customer care operations as well as the use of ASAs;[43] and
- Estimated CA-specific customer care op ex.[44]

In addition, T-Mobile's Senior Director of Care Planning and Strategy submitted a sworn declaration that he was not aware of receiving any feedback to indicate that our customers are dissatisfied with the time it takes to reach a live service representative, the time it takes to receive a call back or any other matter addressed in the Staff Proposal (and included now in the PD).[45] The record is devoid of any evidence to the contrary.[46]

Finally, the PD asserts that the record "contradicts industry parties' assertions that there is no record of a problem."[47] In particular, the PD states – without any analysis or explanation - that the ASA information provided by the carriers "supports the need for firm requirements" and that carrier scores in various national public surveys "indicate customer dissatisfaction."[48] These assertions are baseless and directly conflict with the record established in this case. For example, the record is undisputed that, by definition, an ASA only provides information on the average speed of answer for customer care representatives and is generally recognized as an inadequate proxy for customer experience.[49] It is simply illogical for the PD to assert that information on carrier ASAs in any way suggests that answer times are problematic for wireless consumers or that a mandate to answer 80% of all calls within 60 seconds would improve customer service. As the record establishes, and as discussed above, wireless customers want to get to the right person who has the expertise to answer their particular issue(s), not

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customer care KPIs); T-Mobile's Response to Additional Information Requests at Appendix B, Confidential Attachments RIR 3-02 (key customer care KPI metric data for T-Mobile) and RIR_B-01 (Cost-per-Call KPI).

[43] *See, e.g.,* T-Mobile's Response to Request for Additional Information at 19-22 (discussing T-Mobile's customer care operations); *id*. at 20 (discussing the limitations of ASA). .

[44] *See* T-Mobile's Response to the OIR at Appendix B, Confidential Attachment GIR 1-3 (estimated CA-specific customer care op ex).

[45] *See* T-Mobile's Opening Comments on Staff Proposal at Confidential Attachment C, Declaration of John Consalvo at ¶ 24 ("I am not aware of having received feedback to indicate that our customers are dissatisfied with the time it takes to reach a live service representative, the time it takes to receive a call back or any other matter addressed in these recommendations.").

[46] Moreover, the PD's assertion that T-Mobile somehow did not provide "internal service quality standards or key performance indicators" at the June 25, 2026 Workshop (PD at 72) is contrary to the record. *See e.g.,* T-Mobile Response to Request for Additional Information at Appendix B, Attachment RIR3-01 (PowerPoint presentation from workshop on T-Mobile's customer care operations including standard key internal KPIs).

[47] *See* PD at 71.

[48] *See* PD at 74 ("A review of the carriers' average answer times supports the need for firm requirements."); *see also id.* at 87 at FOF 21 ("The record contains two wireless customer satisfaction surveys, one that indicates poor performance and one that indicates average performance.").

[49] *See* T-Mobile's [Verified] Response to Request for Additional Information at 20 (discussion of how ASAs are actually utilized).

have their calls answered quickly by representatives that will not be able to address their inquiries.[50]

Moreover, there is no analysis or rationale offered in the PD as to what benefits the imposition of any of these mandates would provide but ample evidence of the incredible burden they would impose.

C. The Cal OES Reporting Mandate Should be Revised

The PD's reporting requirement would require providing a range of data regarding all outages, including apparently the causation of each outage.[51] The amount of effort necessary to determine outage causation for *all* Cal OES outages with the certainty required for submission of reports to the Commission would be disproportionate to any potential benefit of the reporting requirement.[52] In particular, attempting to identify causation for all outages – especially short outages that are quickly resolved – carries no benefit nor does it provide additional situational awareness (i.e., the main purpose of Cal OES Reports). Nonetheless, focusing the reporting requirement on outages exceeding 24 hours could ameliorate these problems, and would be consistent with Staff's apparent concern regarding outages of longer duration.[53]

D. The Network Availability Reporting Standard Should be Modified

The lack of record support for the assertion that there is some issue with wireless service quality notwithstanding,[54] to the extent that the Commission determines additional data is needed beyond the Cal OES data discussed above, the PUMA standard should be replaced with county-level reporting and network availability should be reported consistent with the uptime metric included in the carriers' annual Resiliency Plans. Pairing that data – which the Commission already accepts in Resiliency reporting for HFTD's – with causation for CalOES outages over 24 hours could provide the Commission with more useful information with respect to network performance than the proposed PUMA reporting.

Notably, the PD's suggestion that PUMA reporting is necessary because the record includes only statewide network data is demonstrably inaccurate and does not otherwise justify the imposition of a

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[50] Similarly, the raw scores referenced in the national surveys and relied on in the PD provide no information about California customers or whether they have any particular issues with wireless customer care operations. There is simply no nexus between those surveys and the various mandates in the proposed General Order and the PD does not provide any discussion or rely on anything in the record that suggests otherwise.

[51] The PD seems to indicate that the CalOES Reporting would require causation but the PD is silent on the matter. *Cf.* PD at 42 and at Appendix A, Proposed General Order 133-F, Section 2.4.(a).

[52] Among other things, Cal OES Outage reporting does not currently include causation data and the requirement as written would require new resources to determine causation across the entire network.

[53] *See* Staff Proposal Workshop Recording at 00:8:25 (Lai: "If you look at it here you know for the most part over 60% of the outages were restored within 6 hours and just under 90% were restored within 24 hours, so the restoration rate is actually quite solid.").

[54] *See* Section II.A.2., *infra*.

daily reporting requirement or explain how network availability would be determined.[55] As T-Mobile and other parties have noted, PUMAs vary widely in geographic scope, bear no relation to wireless networks, overlapping coverage, cell site locations, Cal OES Outage Reporting, or to ZIP Codes and the PD does not address any of these issues.[56] At best, the use of PUMAs as the common denominator for monitoring network availability – however defined – seems counterintuitive,[57] and the PD implicitly recognizes the problems created by the use of PUMAs by suggesting – for the first time – that carriers also provide county-level reporting for certain of the larger PUMAs.[58]

E. The Premise Underlying the Proposed Propagation Maps is Factually Inaccurate and Would Compel Carriers to Mislead their Customers

The PD's rationale for attempting to mandate that carriers post signal propagation maps on their websites and attribute particular RSRP levels to outdoor, indoor and in-vehicle coverage is technically, factually and legally infirm. Although some of the key errors in the PD with respect to mapping are discussed below, the ongoing confusion over current coverage maps, propagation maps, FCC mapping, and publicly available mapping information clearly warrants further exploration that seems best suited to a technical workshop; not regulation.

Regardless of the workshop, and as an initial core matter, there are no are uniform -dBm levels for all carriers across multiple technologies that "establish" outdoor, indoor[59] and in-vehicle voice coverage. That is not a matter of belief or opinion; that is an engineering reality that has been confirmed by the carriers and recognized by the FCC.[60]

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[55] *See* PD at 40 ("A significant flaw in using the dataset that industry parties present is that the large geographic span carriers use masks outages, which frequently occur on a smaller scale, not statewide or nationwide. In essence, their argument is that a long outage impacting service in Ukiah or a community in Lake County is a nonissue because there was no outage in Los Angeles and San Diego."). As the record makes clear, that is not the wireless argument at all. The wireless providers presented *ZIP-code level Cal OES outage data for 5+ years* and then CTIA aggregated that data up to the state level on an annual basis. That data was provided in order to facilitate the Commission's consideration of the underlying question posed by this proceeding; i.e., whether there was an outage issue that warranted regulatory intervention, not – as asserted in the PD - to argue that outages in a more remote area do not matter because there were no outages in other areas of the state.

[56] Indeed, PUMA boundaries can be altered depending on census data which only further undermines their use as a standard geographic unit.

[57] The PD inaccurately suggests that that the wireless parties "claim to be unfamiliar with PUMA". *See* PD at 40. The issue is not "familiarity" but that PUMAs are not a relevant or useful geographic area for any purpose identified in this proceeding.

[58] PD at 42-43.

[59] Even the construct of "indoor" coverage is variable as location within a building as well as building materials can impact service availability.

[60] *See, e.g.,* In re Establishing the Digital Opportunity Data Collection, *Third Report and Order*, FCC 21-20, ¶¶

Moreover, in what appears to be an effort to address the First Amendment implications of the mapping mandate, the PD's asserts that the proposed General Order only requires the carriers to post interactive maps on their websites that display signal propagation at three -dBm levels without an explanation of the meaning behind that display.[61] Such an assertion, however, is inconsistent with the explicit language of the proposed General Order which requires the posting of the three thresholds as attributed to indoor, in-vehicle and outdoor coverage in particular.[62] Such representations would be misleading and unlawful.[63]

In addition, there is nothing in the record to suggest that propagation maps are "more useful" than the current coverage maps provided by T-Mobile and the other carriers. They are just different. Both are based on engineering modeling and neither is a guarantee of coverage or the ability to use a device in a given location; that is the technical reality of wireless service.[64] There is no map that can provide that type of real-world information and for the PD to suggest otherwise reflects a basic misunderstanding of what a propagation map illustrates and how engineering models work.

Moreover, the PD's characterization of the publicly-available maps is factually and technically incorrect.[65] First, signal propagation levels are not dependent on the type of service (data v. voice). If the models indicate there is -94dBm in a given location, that is what the model indicates to be the expected (not guaranteed) signal strength. What services can operate at that signal strength, or whether there are other factors that impact the signal strength at a particular location, is a separate matter. In

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37 (2021) ("The Commission has recognized that RSRP or RSSI values may vary based on factors such as the spectrum band, network design, and device operating capabilities.").

61 *See PD* at 56-57 ("We also disagree with the framing by carriers that the proposed rule requires carriers to post inaccurate information on their websites or somehow restricts their free speech. The three wireless carriers are required to post maps on their websites that display interactive maps with the following thresholds: -84 dBm, -100 dBm, and -113 dBm, and update those maps annually by January 31 of each year. If carriers wish to provide additional context, the Commission's rules do not restrict that activity.").

62 *See* Proposed General Order 133-F at Section 2.7(a).

63 The proposed requirement for providers to create and publish "signal propagation" maps attributing specific -dBm levels to service availability raises serious concerns with compelled speech that would violate the First Amendment. *See Nat'l Inst. of Family & Life Advocates v. Becerra, 585 U.S. 755, 776 (2018)*; *Cal. Chamber of Com. v. Council for Educ. & Rsch. on Toxics*, 29 F.4th 468, 480 (9th Cir. 2022), *cert. denied*, 143 S. Ct. 1749 (2023); *Am. Beverage Ass'n v. City & Cty. of San Francisco*, 916 F.3d 749, 757 (9th Cir. 2019) (*en banc*).

64 *See, e.g.,* T-Mobile Coverage Map, Map and Service Info at www.t-mobile.com/coverage/coverage-map ("Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, your equipment, obstructions, weather and other conditions may interfere with service quality and availability."). Indeed, all the major carriers provide customers with trial periods so that customers can make sure that their service meets their particular needs whether it is at home, on the road or at work. Moreover, there are no more long term contracts so customers can – and do – readily switch carriers.

65 *See* PD at 56 (asserting that "[t]his map attempts to depict mobile broadband coverage, not voice.").

other words, the "heat maps" incorporated into the publicly available maps from the FCC data reflect predicted signal strength from -50dBm to -120 dBm at street level by technology (*i.e.,* 4G LTE or 5G) and by carrier, not the service, *i.e.,* voice v. data.[66]

Likewise, the PD's assertion that the coverage on the publicly available maps is not an "accurate display of radio frequency propagation" is also technically incorrect and factually wrong.[67] At best, the statement reflects a lack of familiarity with how the FCC maps are created. Indeed, the FCC displays signal propagation data using hexagons (hex-9's) to ensure uniformity and enhance map resolution.[68] The publicly available maps merely reflect that data.

Finally, there PD's reliance on the various ETC application proceeding decisions (most of which are at least a decade old) do not support - or even suggest – that there is a consumer issue with the current wireless maps that warrants regulatory intervention.[69] At most, they confirm the well-recognized variability in wireless service and some broadband mapping issues from 2015.[70]

III. CONCLUSION

For the reasons discussed above, the PD should be revised consistent with these Comments and the attached Appendix.[71]

Respectfully submitted this 19th day of November, 2026.

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66 *See* https://map.coveragemap.com/ ; *see also* 47 CFR § 1.7004(c)(3)(v) ("The RSSI and RSRP values should be provided in 10 dB increments or finer beginning with a maximum value of −50 dBm and continuing to −120 dBm.").

67 *See* PD at 56 ("Moreover, coverage on this map is indicated with large squares or hexagons, which is not an accurate display of radio frequency propagation.").

68 *See e.g.,* FCC 23-87 at ¶ 79 (Mobile broadband coverage is displayed down to the resolution-9 hexagon level (hex-9) on the map…"). and at ¶ 80 ("Hex-9s are nearly uniform and standardized and can be clearly identified and referenced. Because hex-9s are relatively small, with an average area of approximately 0.1 square kilometer, any reduction in map resolution when converting from raw propagation model output (as filed by providers) to hex-9s is minimal." (footnote omitted)).

69 *See* PD at 53-54.

70 *See, e.g.,* Resolution T-17437 (May 15, 2014) (conditionally approves TAG Mobile's ETC application) at 15 ("In rural areas, for example, with spotty connectivity or interference (e.g. due to geographic or structural obstacles), wireless mobile resellers of wholesale facilities service cannot guarantee full, accessible emergency connections for their own direct customers.").

71 *See* attached Appendix (proposed changes to FOFs and COLs. *See also* CTIA's Opening Comments on the Proposed Decision.

APPENDIX

APPENDIX

1. Proposed Changes to Findings of Fact and Conclusions of Law

Findings of Fact

1. The Commission opened this proceeding to create a robust record to help it determine whether to extend or modify any of the existing service quality metrics and standards or develop new service quality standards and reporting requirements for ~~consider revisions to GO 133-E applicable to~~ wireless carriers that operate in California.

2. The Commission's Communications Division issued a Staff Proposal delineating proposed changes to GO 133-E.

3. General Order 133-E requires that POTS and interconnected VoIP service providers restore outages within 24 hours subject to specified exemptions.

4. Californians rely on their wireless devices to receive emergency notifications, contact family and friends, and reach first responders during emergencies.

5. The number of wireless voice service outages is low with network uptime exceeding 99.8% over the past 5 calendar years ~~excessively high, as are the service restoration periods~~.

6. In 2021, wireless carriers reported to Cal OES ~~3,315~~ community isolation events that impacted an average of 2,017 ZIP Codes. In 2022, wireless carriers reported ~~3,319~~ community isolation events that impacted an average of 2,013 ZIP Codes.

7. In October 2022, the Cal OES Reporting threshold was reduced from 50% to 25% which increased the number of reportage outages.

8. In 2023, under the new threshold, wireless carriers reported to Cal OES community isolation events that impacted an average of 3,267 ZIP Codes. In 2024 the average was 2,819 ZIP Codes and in 2025 the average was 2,762 ZIP Codes. ~~From 2023 through 2025, there were more than 17,000 wireless community outages reported to Cal OES, with annual outage totals between 5,600 and 6,000 occurrences.[274]~~

9. The number of outages that exceeded 24 hours has decreased from 2023 through 2025. ~~In 2023, 576 outages exceeded 24 hours. In 2024, 401 outages exceeded 24 hours. In 2025, 372 outages exceeded 24 hours.~~

~~[274] Staff Proposal, at 19.~~

~~7. One of the three facilities-based wireless carriers consistently reports dramatically more Cal OES outages than the other two.~~

~~8~~10. Overall, the experiences of Californians, customers of the various carriers, corroborate the hard data and other information in the record.

~~9~~11. At significant number ~~least some~~ of ~~the reported~~ outages are the result of circumstances beyond a carrier's control.

~~10~~12. Certain perceived outages may be the result of a lack of ~~adequate~~ coverage or network congestion, not a ~~complete~~ loss of service.

~~11~~13. Carriers presented their performance using the network uptime on a statewide basis.

~~12~~14. Statewide geographic data does not show ~~spans mask~~ more localized outages but Cal OES data reflects outages on a ZIP Code basis.

~~13~~15. PUMAs are non-overlapping standardized census areas designed for demographic analysis and contain no fewer than 100,000 residents each PUMAs are used to tabulate and disseminate decennial census and American. Community Survey (ACS) and Public Use Microdata Sample (PUMS) data. California currently contains 281 PUMAs based on decennial 2020 data with an average population of 140,705.

~~14~~16. While t~~T~~he Commission adopted PUMA analysis as part of its Affordability Proceeding (R.18-07-006), PUMAs are not familiar to most consumers and do not show localized issues in large geographic PUMAs or the impact of overlapping coverages in smaller geographic PUMAs. County level information would be more useful and readily understandable for consumers.

~~15~~17. Wireless coverage maps on the websites of AT&T, T-Mobile, and Verizon, as well as those on the FCC's website depict outdoor coverage.

~~16~~18. The three facilities-based wireless carriers possess the modeling capabilities required to produce signal propagation maps and provide such data to the FCC regularly ~~accurate, high-granularity maps that depict indoor coverage~~.

~~17~~19. There are no standard signal strength levels for outdoor, in-vehicle or indoor voice coverage across technologies or carriers. ~~Complaints about the accuracy of the mapping of wireless coverage are well-known and often repeated, including numerous findings by this Commission.~~

18. The cost for carriers to implement the indoor mapping requirement is, if anything, minimal but it would be potentially misleading to consumers.

19. General Order 133-E contains the following customer service requirements for telephone corporations with 5,000 or more access lines providing POTS and fixed

interconnected VoIP service providers:

(a) Maintain a local, toll-free or collect call telephone access line which will be available to its subscribers 24 hours a day, seven days a week: At minimum, trained company representatives will be available to respond to customer telephone inquiries during normal business hours (Monday to Friday between 8am and 5pm Pacific Standard Time). After normal business hours, a call may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours must be responded to by a trained company representative on the next business day.

(b) A customer representative must answer 80 percent of the customer service calls within 60 seconds. Telephone corporations may offer a callback service. If customers choose to use this callback service, and a customer service representative responds to the customer service call within 24 hours, then this call will not count against meeting this criterion.

(c) Provide a postal mail component for customer service inquiries. The postal mail contact must be provided on the company's website, via customer service telephone line, and bill inserts.

(d) Resolve billing-related inquiries within 90 days from the initial customer inquiry.

(e) All outage-related inquiries must be directed towards the appropriate POTS and VoIP Outage Repair Standard ~~wireless standards~~.

20. A review of the record establishes that wireless customers value having their issues resolved on first contact to the extent feasible ~~average answer times for AT&T, T-Mobile, and Verizon supports the need for firm requirements~~.

~~21. The record contains two wireless customer satisfaction surveys, one that indicates poor performance and one that indicates average performance.~~

~~22~~21. The estimate of compliance costs for the proposed customer service standard submitted by AT&T is significant ~~inflated and not credible~~.

~~23~~22. The estimate of compliance costs for the proposed customer service standard submitted by T-Mobile is ~~inflated and not~~ credible.

~~24~~23. The estimate of compliance costs for the proposed customer service standard submitted by Verizon is supported.

~~25~~24. The cost to comply with the ~~revised and adopted~~ customer service standard is not reasonable.

Conclusions of Law

1. The public interest requires that telephone corporations furnish safe and reliable service.

~~2. The public interest requires that telephone corporations adhere to the service quality standards in GO 133-E, and that the Commission adopt the penalty mechanism to ensure that the telephone corporations comply.~~

~~3~~2. The Commission has limited jurisdiction over facilities-based wireless providers,~~ and authority to ensure the reliability of communications networks.~~

~~4. The Commission has jurisdiction over~~ wireless telephone corporations and other communications utilities.

~~5~~3. Pub. Util. Code Section 216 gives the Commission ~~broad~~ jurisdiction over ~~public utilities, including~~ telephone corporations as defined by Pub. Util. Code Section 234.

~~6~~4. The Commission's ~~"broad~~ regulatory power over "public utilities" derives from Article XII of the State Constitution, which establishes the Commission, and gives it ~~wide-ranging~~ regulatory authority, including but not limited to ~~"~~the power to ~~…~~ establish rules, ~~hold various types of hearings, award reparation,~~ and "subject to statute and due process…establish its own procedures."

~~7~~5. Pub. Util. Code Section 216 definition of a "public utility" includes every "telephone corporation" where service is performed, or a commodity is delivered to the public or any portion thereof.

~~8~~6. Pub. Util. Code Section 234 definition of a "telephone corporation" includes "every corporation or person owning, controlling, operating, or managing any telephone line for compensation in this state."

~~9~~7. Pub. Util. Code Section 233 definition of a "telephone line" includes "all conduits, ducts, poles, wires, cables, instruments, and appliances, and all 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 without the use of transmission wires."

~~10~~8. California's Constitution, Art. XII, Section 3, ~~specifically extends the Commission's jurisdiction to companies engaged in~~ "[p]rivate corporations and persons that own, operate, control or manage a line, plant, or system for …the transmission of telephone and telegraph messages…are public utilities subject to control by the Legislature."

~~11~~9. The Commission's authority over public utilities includes oversight over ~~both~~ public utilities~~y services and facilities~~ pursuant to California Constitution, Art. XII Sections 1-

6 and Pub. Util. Code Section 701 subject to other legislative directives and express restrictions placed upon the Commission's authority by the Public Utilities Code or other law.

~~12~~10. Pub. Util. Code Section 451 requires the Commission to ensure that utilities, including telephone corporations, "furnish and maintain such adequate, efficient, just and reasonable service, instrumentalities, equipment, and facilities… as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public." ~~[emphasis added]~~

~~13. Pub. Util. Code Section 761 allows requires the Commission to ensure the reasonableness and sufficiency of *utility facilities*[275] and may order "additions, extensions, repairs, or improvements to, or changes in" utility facilities that the Commission finds "ought reasonably to be made." [emphasis added]~~

~~14. Pub. Util. Code Sections 233, 224.4 extends the Commission's jurisdiction to the facilities wireless carriers rely upon to provision service.~~

~~15. The Federal Communications Act does not preempt the Commission from exercising public safety regulation of wireless facilities.~~

~~16. The 1993 amendments to the Federal Communications Act ushered in an era of shared jurisdiction.~~

~~17~~11. In 1993, Congress passed the Omnibus Budget Reconciliation Act of 1993 (Budget Act), which amended Section 332(c)(3)(A) of the Communications Act as follows: no State or local government shall have any authority to regulate the entries of or the rates charged by any commercial mobile service or any private mobile service, except this paragraph *shall not prohibit a State from regulating the other terms and conditions of commercial mobile service*. [emphasis added]

~~18. After Congress enacted the revised 47 U.S. Code Section 332, the Commission issued multiple decisions implementing the change in federal law and harmonizing those changes with existing Commission oversight of wireless telephony.~~

~~19~~12. The Commission continues to exercise limited ~~broad~~ authority over wireless service.

~~20. In providing a role for states, Congress explicitly declined to occupy the field.~~

~~21. Congress did not expressly state health and safety rules.~~

~~[275] Pub. Util. Code § 761.~~

~~22~~13. ~~The scope of~~ 47 U.S. Code Section 332's preemptive language prohibits ~~is limited to~~ regulations that ~~*directly and explicitly*~~ control rates, prevent market entry, or require a determination of the reasonableness of rates.

~~23. The Commission retains the unequivocal authority to regulate "other terms and conditions of service."~~

~~24. The proposed penalty mechanism in GO 133-E is consistent with statute and the Commission's standards for imposing penalties set forth in D.98-12-075 because it is based on the size of the carrier and duration of the violations.~~

~~25~~14. The Commission should adopt reporting and monitoring requirements to track wireless outages, ~~and~~ network availability, and customer care instead of imposing performance penalties.

~~26. The Commission is not abusing its discretion by applying any or all rules concerning customer service contained in General Order 133-E to wireless carriers.~~

~~27~~15. The Commission should not adopt the Customer Service Standard for facilities-based wireless carriers in General Order 133-F.

~~28~~16. General Order 133-D required wireless telephone corporations to provide coverage maps on their websites and at retail locations and disclose equipment limitations so a customer understands where~~at~~ they "generally may expect~~"~~ to receive adequate signal strength to place and receive calls when outdoors under normal operating conditions."

~~29~~17. In adopting D.25-09-031, the Commission chose to remove the wireless mapping requirement in General Order 133-D, and to not adopt a proposal from Staff to require wireless carriers to provide maps showing address level coverage as such maps are readily and publicly available. ~~The Commission took this action because wireless carriers said that could not meet the proposed granularity requirements of providing maps due to technological limitations.~~

~~30~~18. The Commission should require the facilities-based wireless carriers to submit the signal propagation data that it submits to the FCC to the Commission ~~post maps on their websites depicting indoor coverage~~.

~~31~~19. The Communications Division Staff should continue to review and analyze carriers' service quality results and performance for the benefit of California consumers ~~and to bring forward recommendations and proposals to this Commission~~.

~~32~~20. General Order 133 already directs ~~provides~~ Staff ~~authority~~ to prepare and update reporting templates that carriers must use.