

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIAOrder Instituting Investigation to Address
Intrastate Rural Call Completion Issues.Investigation 14-05-012
(Filed May 15, 2014)**ORDER AMENDING ORDER INSTITUTING INVESTIGATION****Summary**

Today's order amends the California Public Utilities Commission's May 15, 2014 Investigation (I.) 14-05-012. In particular, we expand the preliminary scope of this investigation to incorporate public safety issues related to 911 calls, address concerns raised in the initial responses to questions in I.14-05-012, and add further respondents.

1. Respondents

In view of the amended scope of this proceeding (discussed in Section 2 below), we will need to broaden the kinds of entities named as respondents. We add Intrado Communications, Inc. to the list of Respondents to Investigation (I.) 14-05-012, which are subject to our jurisdiction.

2. Amended Scope and Further Questions

On May 15, 2014, we opened I.14-05-012. The initial scope of this proceeding related to a review of intrastate call completion failures in California, particularly in rural areas of the state. Based on a review of parties comments and replies to the questions posed in this Order Instituting Investigation,

consideration of the requirements of Public Utilities Code (Pub. Util.) §§ 451 and 2883,¹ as well as recent 911 outages, including: 1) an inquiry by the Federal Communication's Public Safety and Homeland Security Bureau into the circumstances of a multi-state 911 outage on April 9 and 10, 2014; and 2) the recent 911 outage in the Napa area after the August 24, 2014 earthquake, the Commission has determined that the scope of the current proceeding shall be expanded to include a review of 911 call completion issues in California.

In order to develop a robust and complete record, and address the 911 issue as well as clarify the existing scoped issues regarding call completion failures, we require all respondents/parties to I.14-05-012 to file comments answering the questions presented in Attachment A to this decision, within 15 days of the issuance date of this decision; and file replies within 25 days of the issuance date of this decision. If respondents/parties believe that their responses to the attached questions contain confidential information, they may file a motion requesting confidential treatment of such information and file such

¹ In part, Pub. Util. Code § 451 states that "Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities, as defined in Section 54.1 of the Civil Code, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

In part, Pub. Util. Code § 2883 states that telecommunications utilities shall "continue[s] to provide a public safety net in a competitive telecommunications market, eliminates phantom "911" calls" and requires that "(b) All local telephone corporations, excluding providers of mobile telephony service and mobile satellite telephone service, as defined in Section 224.4, to the extent permitted by existing technology or facilities, shall provide every subscriber of tariffed residential basic exchange service with access to "911" emergency service. "

responses under seal.² Requests for confidential treatment must comply with the requirements of Pub. Util. Code § 583 and General Order 66-C.

If respondents/parties are unable to respond to any of the attached questions, they should explain why they are unable to respond.

Accordingly, we have expanded the preliminary scope of this proceeding. It shall now additionally include public safety issues related to 911 call completion.

3. Categorization and Need for Hearing

We reaffirm the categorization of this proceeding as quasi-legislative, and the determination that hearings are not required.

4. Assignment of Proceeding

Catherine J. K. Sandoval is the assigned Commissioner and Seaneen M. Wilson is the assigned Administrative Law Judge in this proceeding.

² Helpful instructions regarding how to file documents and how to file confidential documents can be found at <http://www.cpuc.ca.gov/PUC/Practitioner/faq.htm>.

O R D E R

IT IS ORDERED that:

1. In addition to the Respondents set forth in the May 15, 2014 Investigation (I.) 14-05-012, Intrado Communications, Inc. is a Respondent to I.14-05-012.

2. In addition to the purposes set forth in the May 15, 2014 Investigation 14-05-012, the scope of this investigation also includes:

(a) A review of 911 call completion issues in California.

3. All respondents/parties to Investigation 14-05-012 are required to answer the questions presented in Attachment A to this decision, within 15 days of the issuance date of this decision; and file replies within within 25 days of the issuance date of this decision. The Administrative Law Judge may alter the comment dates as needed for efficient handling of this matter.

4. Investigation 14-05-012 remains open.

This order is effective today.

Dated _____, at San Francisco, California.

Attachment A

Questions

Follow-up Questions to existing scoped issues:

1. Do you use a Least Cost Router (LCR) or other intermediate carrier, or act as an LCR in the transmission of intrastate calls?
2. If you have experienced call completion failures, provide the following:
 - a. All information that you may have provided to the Federal Communications Commission (FCC) pursuant to FCC Order 13-135 in WC Docket 13-39, dated October 28, 2013.
 - b. Call data (including supporting documentation) for all intrastate call completion failures, for calls handled by you, for the past 12 months. Such data shall be summarized by month (with supporting calculations), including but not limited to the following:
 - i. Whether call originated or terminated with you;
 - How many calls failed that originated with you?
 - What is this figure as a percent of total calls by month?
 - How many calls failed that terminated with you?
 - What is this figure as a percent of total calls by month?
 - ii. Type of customer making call (for example - residential, commercial, industrial, agricultural, government);
 - iii. Type of customer receiving call;
 - iv. Name of all LCRs involved in making call;
 - v. Originating Carrier;
 - vi. Terminating Carrier;
 - vii. Terminating Location
 - viii. Call Origination Location; and
 - ix. Call Cause Codes.

- x. How were you alerted of call failures? (For example, Originating Carrier, LCR, your internal data or staff, Customers, CPUC, or Other);
3. How do you track call origination, transportation, and termination of intrastate call failures?
 4. What technologies (wireless, wireline, fixed VoIP, nomadic VoIP) are more prone to call completion failures?
 - a. Is it possible to disentangle call protocols in ascribing call completion failure rates in their blending and usage?
 - b. Are there identifiable choke points that cross technology protocols?
 5. What lessons might the Commission learn about call completion problems elsewhere, establishing accountability for them, and gathering data on them?

Questions regarding 911 call completion failures:

1. Should all California carriers be required to track and report 911 call completion failures? If so, how?
2. Should the Commission track all customer-reported call completion failures, including 911 call completion failures, through its general complaint procedure mechanism or establish a new dedicated system and mechanism?
3. How do you track 911 call failures within your network?
4. How do you determine at what point in the 911 call flow that failure has occurred?
5. What monitoring and/or alarm systems do you use and what thresholds are set for tracking 911 access failures?
6. What are the differences you are now operating with, or planning to operate with between E-911 and NG911 access arrangements, monitoring, and alarm thresholds different and if so how? How are they different?
7. Should general service outages be treated as call completion failures and so reported as such?
8. Should general service outages be counted *as 911 access* failures?
9. If your network has experienced 911 access failures in the last 12 months, provide the following information by month:
 - a. Number of 911 calls not completed;
 - i. This figure as a percent of total intrastate calls per month and total 911 calls handled by your network per month.
 - ii. What percentage of 911 access call failures can be attributed to deliberate restrictions and actions such as use of least cost routers to evade ICC charges and which to other factors?

- iii. What percentage of your 911 access calls are handled via a selective router?
 - iv. What percentage of your 911 access calls are handled out of other record/location databases?
 - v. What percentage of your 911 access call *failures* are handled by selective routers?
 - vi. What percentage of your 911 access call *failures* are handled by out of other record/location databases?
- b. Type of customer making call (for example - residential, commercial/business, wholesale);
 - c. Name of all LCRs involved in making call;
 - d. Originating Carrier;
 - e. Terminating Carrier;
 - f. Terminating Location
 - g. Call Origination Location; and
 - h. Call Cause Codes.
 - i. How were you alerted to call failures? (For example, Originating Carrier, LCR, your internal data or staff, Customers, CPUC, or Other);
10. What reporting and alarming methodologies do you have in place between your network operations facilities and those of third parties (VPCs)?
11. Do 911 call completion failure rates differ for calls provisioned over traditional TDM switches versus IP-enabled data-based call servers? If so, how?
12. What role, if any, does spoofing, phantom calls, or traffic pumping, play in 911 call completion failures?

13. For what capacity of calls to 911 is your network provisioned (from central office), and at what overload level does our network deliver a system busy signal to the end user?
14. Are existing Public Utilities Code sections regarding 911 calls being enforced, without regard to the technology used to place and complete 911 calls?
15. In light of the FCC's proceeding No. 14-72 regarding 911 outages in multiple states, what additional Commission actions are needed to ensure that 911 calls in California are completed?

(END OF ATTACHMENT)