

Decision 19-11-008 November 7, 2019

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding
Revisions to the California Universal
Telephone Service (LifeLine) Program.

Rulemaking 11-03-013

**DECISION EXTENDING AUTHORIZATION FOR THE CALIFORNIA LIFELINE
FUND TO MAKE UP FOR THE LOSS OF FEDERAL SUPPORT**

Summary

This decision extends the authorization for the California Universal Telephone Service (LifeLine) Fund to make up for the loss of federal support for participants who qualify only under California eligibility criteria until the earlier of the issuance of a final decision on this issue or February 28, 2020.

1. Background

In Decision 18-02-006, the California Public Utilities Commission (Commission) authorized the California Universal Telephone Service (LifeLine) Fund to make up for the loss of federal support for participants who only qualify under California eligibility criteria but who do not meet federal Lifeline eligibility criteria (California-Only Participants) from May 1, 2018, through November 30, 2019.

On August 20, 2019, the assigned Administrative Law Judge (ALJ) issued a ruling seeking parties' input on whether the California LifeLine Fund should continue to make up for the loss of federal support for California-Only

Participants. On August 28, 2019, the assigned ALJ issued a ruling with additional data on this issue and additional questions for party input. The August 28, 2019 ruling stated that the administrator of the California Universal Telephone Service (LifeLine) Program (Program) identified a monthly average of 81,839 California-Only Participants between January and May 2019.

On September 10, 2019, several parties filed and served opening comments on this issue, including AT&T Services, Inc., Cox California Telcom, L.L.C., the Joint Consumers (Center for Accessible Technology, the Greenlining Institute, and The Utility Reform Network), members of the National Lifeline Association, Public Advocates Office, and a group of Small Local Exchange Carriers. On September 17, 2019, three parties filed and served reply comments, including AT&T Services, Inc., Cox California Telcom, L.L.C., a group of Small Local Exchange Carriers, and the Joint Consumers.

2. Bridge Extension of Funding Authorization

The Commission intends to issue a final decision on the California-Only Participants funding issues by February 28, 2020, after considering the comments on the August 2019 rulings and allowing time for parties to comment on a proposed decision on these issues.

To prevent service disruptions, we hereby extend the authorization for the Program to make up for the loss of federal support for California-Only Participants until the earlier of the issuance of a final decision or February 28, 2020.

Party comments on September 10, 2019 and September 17, 2019 support this approach. Parties had a range of positions on whether the Program should make up for the loss of federal funding permanently or for another duration. However, all parties who commented agreed that the Program should continue

make up for the loss of federal support for California-Only Participants for at least another 12 months.

3. Waiver of Comment Period

Under Rule 14.6(c)(10) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions in a proceeding in which no hearings were conducted and where the Commission determines that public necessity requires the reduction or waiver of the 30-day period for public review and comment. Public necessity includes circumstances where failure to adopt a decision before expiration of the 30-day review and comment period would cause significant harm to public health or welfare.

If the Commission does not timely adopt this bridge extension decision, approximately 81,800 California-Only Participants may experience a disruption of essential services between December 1, 2019 and the issuance of a final decision. Accordingly, pursuant to this rule, we waive the otherwise applicable 30-day period for public review and comment.

4. Assignment of Proceeding

Genevieve Shiroma is the assigned Commissioner, and Katherine Kwan MacDonald and Stephanie S. Wang are the assigned Administrative Law Judges in this proceeding.

Findings of Fact

1. On August 20, 2019 and August 28, 2019, the assigned ALJ issued rulings seeking parties' input on whether the Program fund should continue to make up for the loss of federal support for California-Only Participants.

2. The Commission intends to issue a final decision by February 28, 2020, after considering the comments on the August 2019 rulings and allowing time for parties to comment on a proposed decision on these issues.

3. All parties that commented on this issue on September 10, 2019 or September 17, 2019 agreed that the Program should make up for the loss of federal support for California-Only Participants for at least another 12 months.

4. Failure to authorize this bridge extension of funding authorization may result in the disruption of essential services to approximately 81,800 participants between December 1, 2019 and the issuance of a final decision.

Conclusions of Law

1. The Commission should extend to February 28, 2020, the authorization for the Program to make up for the loss of federal support for California-Only Participants to avoid disruption in service to approximately 81,800 participants.

2. This bridge extension of funding authorization should not be construed as a guarantee that the Commission will continue to authorize the Program to make up for the loss of federal support for California-Only Participants for a longer duration or a decision on the merits of any aspect of this issue.

3. If the Commission issues a final decision on the issue of whether the Program should continue to make up for the loss of federal support prior to February 28, 2020, this extension will expire upon issuance of that decision.

O R D E R

IT IS ORDERED that:

1. The California Universal Telephone Service (LifeLine) Program is authorized to continue to make up funding for the lost federal support for California-Only Participants until February 28, 2020.
2. This bridge extension of funding authorization will expire upon the issuance of a final decision on this issue in this proceeding.
3. Rulemaking 11-03-013 remains open.

This order is effective today.

Dated November 7, 2019, at San Francisco, California.

MARYBEL BATJER

President

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

Commissioners