

Rulemaking _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Petition to Adopt, Amend, or Repeal a
Regulation Pursuant to Pub. Util.
Code Section 1708.5

Petition 21-10-003

Order Instituting Rulemaking
Proceeding to Consider Amendments
to General Order 133.

Rulemaking _____

**ORDER INSTITUTING RULEMAKING PROCEEDING TO CONSIDER
AMENDMENTS TO GENERAL ORDER 133**

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Attachment A - List of Providers

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**ORDER INSTITUTING RULEMAKING PROCEEDING TO CONSIDER
AMENDMENTS TO GENERAL ORDER 133****Summary**

In response to Petition 21-10-003, this Order institutes a rulemaking proceeding to consider proposed amendments to the Commission's General Order (GO) 133-D.

Decision (D.) 16-08-021, issued on August 29, 2016, the California Public Utilities Commission (Commission) adopted GO 133-D, which revised the minimum service quality standards that legacy Plain Old Telephone Service (POTS) service providers must meet.¹ These included installation interval, installation commitments, customer trouble reports, out-of-service repair interval, and answer time.² Additionally, D.16-08-021 established a penalty mechanism, including the option to make investments in lieu of penalties.³ Lastly, D.16-08-021 changed reporting requirements for POTS providers and extended some of the outage reporting requirements to wireless and interconnected Voice over Internet Protocol (VoIP) service providers.⁴

The Commission opens this rulemaking proceeding to assess whether the existing GO 133-D service quality standards and measures meet the goals of the Commission and remain relevant to the current regulatory environment and market, including consideration of service quality standards applicable to VoIP,

¹ D.16-08-021 *Decision Adopting General Order 133-D*, issued August 29, 2016, at Ordering Paragraph 1; Attachment B.

² D.16-08-021 at Ordering Paragraph 1; Attachment B, Section 3.

³ D.16-08-021 at Ordering Paragraph 1; Attachment B, Section 9.

⁴ D.09-07-019 *Decision Adopting General Order 133-C and Addressing Other Telecommunications Service Quality Reporting Requirements*, issued July 16, 2009, at 12; see also Public Utilities (Pub. Util.) Code § 2896.

wireless, and broadband voice communications services. Additionally, the Commission will consider whether the existing enforcement framework in GO 133-D is adequate to improve substandard voice communications service.

1. Background

1.1. Commission Standards for Minimum Service Quality

The California Public Utilities Commission's (Commission) General Order (GO) 133 sets minimum service quality standards for telecommunications services and includes an enforcement mechanism. The Commission last revised GO 133 (now GO 133-D) in Rulemaking (R.) 11-12-001, Decision (D.) 16-08-021. Currently, the service quality standards in GO 133-D apply to any telephone corporation, common carrier, or other entity that provides voice service in California that:

- 1) Has been granted a Certificate of Public Convenience and Necessity by the Commission, and
- 2) Is designated as an Eligible Telecommunications Carrier (ETC) by either the Federal Communications Commission (FCC) or this Commission to receive federal high-cost support and/or low-income support, and/or
- 3) Is authorized to provide California LifeLine service.⁵

GO 133-D includes minimum standards for the following metrics:

- Installation Intervals – the amount of time to install basic telephone service. The minimum standard is five business days.⁶
- Installation Commitments – the proportion of service installation commitments each provider meets, excluding those instances where customer actions prevent the

⁵ D.16-08-021, at 10.

⁶ GO 133-D, Section 3.1.

provider from meeting the installation commitment. The minimum standard is 95 percent of all commitments.⁷

- Customer Trouble Report – the number of all trouble reports each provider receives from customers in relation to lines or equipment. The provider collects the data monthly and reports it to the Commission quarterly. The maximum number of trouble reports depends on the number of lines, as follows:
 - no more than 6 trouble reports per 100 lines for reporting units with 3,000 or more lines
 - no more than 8 reports per 100 lines for units with 1,001-2,999 lines
 - no more than 10 reports per hundred lines for units with 1,000 or fewer lines.⁸
- Out-of-Service Report – the length of time a customer may have to wait to have service repaired. The minimum standard is 90 percent of a provider’s out-of-service repair requests must be completed within 24 hours.⁹
- Answer Time – the length of time between a customer’s calling a provider’s business office regarding an issue and reaching a live agent. The minimum standard is 80 percent of calls should reach a live agent in 60 seconds or less (with a menu option to reach a live agent).¹⁰

GO 133-D includes reporting requirements for the above measures.¹¹

Additionally, all telephone corporations, including wireless and interconnected Voice over Internet Provider (VoIP) service providers, are required to submit FCC Network Outage Reporting System (NORS) reports and annual ETC outage

⁷ GO 133-D, Section 3.2.

⁸ GO 133-D, Section 3.3.

⁹ GO 133-D, Section 3.4.

¹⁰ GO 133-D, Section 3.5.

¹¹ GO 133-D, Section 3.2-3.5, Section 6.

reports.¹² Wireless providers must also provide coverage maps on their websites and at retail locations.¹³

Lastly, GO 133-D sets fines for Plain Old Telephone Service (POTS) providers' failure to meet service quality measures and allows a company to propose, in lieu of paying a fine, to allocate at least twice the amount of a potential fine to investments designed to cure service quality deficiencies.¹⁴ Providers failing to meet any standard for two consecutive months must submit a corrective action plan to the Commission's Communications Division, and providers failing to meet any standard for three consecutive months are deemed to have entered chronic failure status and will begin to incur fines as specified in GO 133-D.¹⁵

When the Commission last reviewed GO 133, it found that it was not required "to apply the same type of regulations to wireless and VoIP that it applies to traditional wireline."¹⁶ Additionally, the Commission cited a history of treating services such as wireless and VoIP differently than traditional services as well as federal and state prohibitions on regulating certain aspects of such services, including those under Pub. Util. Code Section 710, which prevented the Commission from regulating VoIP and other Internet protocol (IP) enabled services under most circumstances.¹⁷ Pub. Util. Code Section 710 sunset on January 1, 2020.

¹² GO 133-D, Section 4.

¹³ GO 133-D, Section 5.

¹⁴ GO 133-D, Section 9.

¹⁵ GO 133-D, Section 9.1.

¹⁶ D.18-10-058 *Order Modifying and Denying Rehearing of D.16-08-021*, issued October 30, 2018, at 20.

¹⁷ *Ibid.*

1.2. Network Exam

As part of considering modifications to service quality standards in R.11-12-001, the Commission directed Communications Division staff to evaluate the condition of Pacific Bell Telephone Company, dba AT&T California (AT&T), and Frontier California (Frontier)'s wired network infrastructure, facility, services, and best practices to deliver consistent service quality to their customers (Network Exam).¹⁸ The Communications Division consultant produced a Phase 1 Report, covering the period of 2010-2017; the Phase 1 report made the following conclusions, relevant to service quality:

- The quality of both AT&T and Frontier voice services has declined during 2010-2017 with the number of outages increasing and service restoration times getting longer over that time.
- For AT&T, the potential revenue from migrating POTS customers to its broadband services is far greater than any financial penalty that would be imposed by the Commission for violating service quality standards.
- Both AT&T and Frontier have failed to adapt their infrastructure to withstand adverse weather conditions.
- AT&T wire centers that have been upgraded with fiber optic facilities and other broadband related investments disproportionately serve higher-income communities. Communities with the lowest household incomes tend to exhibit the highest trouble report rates, the longest out-of-service durations, and the lowest percentage of outages cleared within 24 hours.

¹⁸ See D.13-02-023 *Decision Affirming Provisions Of The Scoping Memo And Ruling*, issued March 6, 2013; D.15-08-041 *Decision Affirming Provisions Of The Scoping Memo And Ruling*, issued August 31, 2015; and D.20-12-021 *Decision Affirming Provisions Of The Scoping Memo And Ruling*, issued December 21, 2020.

- The areas in both AT&T's and Frontier's territories with the lowest rates of POTS line losses have experienced the steepest deteriorations in service quality.
- AT&T has the financial resources to maintain and upgrade its wireline network in California but has yet to do so.¹⁹

The Phase 1 Report makes several recommendations:

- Expand the financial penalties for providers that fail to meet the GO 133-D service quality standards.
- The financial consequences of poor service quality should be the same regardless of the level or effectiveness of competition in a market, whether through loss of customers and revenues (in an effectively competitive market) or through regulatory enforcement, *i.e.*, fines for non-compliance.
- The maximum Customer Trouble Report rates specified in GO 133-D should be revised downward.
- The Commission should impose uniform service quality standards on an individual wire center basis rather than on an aggregate, company-wide basis.
- GO 133-D fines should vary based on the extent of a provider's failure to meet any service quality standard.

Communications Division staff more recently issued a Phase 2 Report, covering the period of 2018-2019, which found a continuing trend of disinvestment and deteriorating service quality in AT&T's and Frontier's wireline network infrastructure. Additional findings of the Phase 2 report include:

¹⁹ Examination of the Local Telecommunications Networks and Related Policies and Practices of AT&T California and Frontier California, Study conducted pursuant to the California PUC Service Quality Rulemaking 11-12-001, Decision 13-02-023, and Decision 15-08-041, April 2019 (Phase 1 report). A public version of the Phase 1 report is available at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/service-quality-and-etc/network-exam-of-att-and-frontier-verizon>. See Network Exam Phase 1 Report, Chapter 1 Executive Summary at 2-3.

- The frequency and average duration of service outages has increased from the prior reporting period.
- Infrastructure investments appear aimed primarily at nonregulated broadband service upgrades instead of improving legacy service facilities.
- Both companies have stopped marketing legacy circuit-switched telephone service, focusing instead on broadband service, which has contributed to a further decline in the quality of POTS service.
- AT&T's capital investment in its California incumbent local exchange carrier (ILEC) has diminished.
- Confirmation that AT&T's and Frontier's networks cannot withstand weather and climate conditions in the state.
- AT&T's VoIP service experiences a slightly higher rate of service outages than AT&T legacy services.
- Low-income areas that have not been targeted for broadband upgrades have the potential to lose high quality wireline voice services.²⁰

Based on these findings, the Phase 2 Report makes the following additional recommendations:

- The Commission should reevaluate the role that regulation plays over legacy and current technology services, including VoIP and broadband.
- Since Pub. Util. Code § 710 is no longer in effect, GO 133-D should be extended to apply to all wireline voice services regardless of the underlying technology.
- The Commission should expand financial penalties for providers that fail to meet the minimum GO 133-D standard. Additionally, it should eliminate the option of investment in lieu of penalties because there is no evidence

²⁰ Network Exam Report, Phase 2, Chapter 1 at 5-8. Available at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/network-exam-documents/phase-ii/ph2ch1network-exam-2execsummary-final-report-072721redacted.pdf>.

that such investments were incremental or that they were targeted to improve service quality.

- The Commission should establish a process to examine alternatives to maintain adequate service to Frontier customers in the event that the parent company no longer has the financial resources to provide safe and reliable services in California.²¹

1.3. Environmental and Social Justice

In 2019, the Commission adopted the Environmental and Social Justice Action Plan (ESJ Action Plan), which seeks to expand inclusion in Commission decision-making and improve services to communities of color and low-income communities in California.²² The goals of the ESJ Action Plan include "improv[ing] access to high-quality water, communication, and transportation services for ESJ communities," and "enhanc[ing] enforcement to ensure safety and consumer protection for ESJ communities."²³ The Network Exam found that both AT&T and Frontier have focused investments over the past ten years in areas that attract greater competition, which are higher-income communities, resulting in poorer service quality and fewer alternatives for lower-income communities and communities of color.²⁴ This rulemaking seeks to address the findings of the Network Exam and further the goals of the ESJ Action Plan by determining the appropriate minimum level of service quality that all Californians, including those in low-income communities and communities of

²¹ Network Exam Report, Phase 2, Chapter 1 at 8-10.

²² Documents and other resources concerning the Commission's Environmental and Social Justice Action Plan are available at the following url: <https://www.cpuc.ca.gov/news-and-updates/newsroom/environmental-and-social-justice-action-plan>.

²³ CPUC Environmental and Social Justice Action Plan Version 1.0, February 21, 2019 at 7.

²⁴ Network Exam Report, Phase I, Chapter 1 at 1-2.

color, should receive and will ensure that penalties are adequate to improve substandard service.

1.4. Petition for Rulemaking

On September 29, 2021, the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) filed a petition to open a rulemaking to establish the minimum service quality standards that customers can expect from providers of essential communications services by amending and updating GO 133-D (Petition). Cal Advocates served its petition on the service lists of R.11-12-001, R.13-03-008, R.18-03-011, R.20-02-008, R.20-08-021, and R.20-09-001. The Petition argues that communications services provided via broadband, wireless, and VoIP, along with traditional wireline telephone service, now constitute essential services.²⁵ Therefore, the petition asks the Commission to establish minimum service quality standards applicable to broadband, wireless, and VoIP services.²⁶ Currently, the Commission's minimum service quality standards apply only to POTS providers.²⁷ Cal Advocates argues that in addition to increased consumer reliance on these essential services, the state's role in regulating these services has been clarified by the sunset of Pub. Util. Code § 710 and court decisions following the FCC's Restoring Internet Freedom Order.²⁸ Cal Advocates further recommends that, in a second phase of the requested rulemaking, the

²⁵ Petition (P.) 21-10-003 *Petition of the Public Advocates Office for Rulemaking to Amend General Order 133-D to Establish Minimum Service Quality Standards for All Essential Communications Services*, filed October 7, 2021 (Petition for Rulemaking), at 1, 10, 17-18.

²⁶ Petition for Rulemaking, at 2-3.

²⁷ Petition for Rulemaking, at 2, Attachment A, Attachment B.

²⁸ Petition for Rulemaking, at 3-9, 15-17.

Commission review and consider potential revisions to GO 133-D's penalty framework to ensure penalties result in actual improved service quality.²⁹

The Commission received timely responses to Cal Advocates' petition from:

- Calaveras Telephone Company, Foresthill Telephone Co., Happy Valley Telephone Company, Hornitos Telephone Company, Cal-Ore Telephone Co., Winterhaven Telephone Company, Pinnacles Telephone Co., Ponderosa Telephone Co., Kerman Telephone Co., Siskiyou Telephone Company, Ducor Telephone Company, Sierra Telephone Company, Inc., Volcano Telephone Company;
- The Utility Reform Network, Center for Accessible Technology, Communications Workers of America, District 9 (collectively, Joint Respondents);
- Pacific Bell Telephone Company, Teleport Communications America, LLC, New Cingular Wireless PCS, LLC, AT&T Corp., Santa Barbara Cellular Systems Ltd., AT&T Mobility Wireless Operations Holdings, Inc (collectively, AT&T);
- Greenlining Institute;
- CTIA – The Wireless Association (CTIA);
- MCI Metro Access Transmission Services Corp., Celco Partnership, MCI Communications Services LLC (collectively, Verizon);
- Consolidated Communications Enterprise Services, Inc., Consolidated Communications of California Company;
- Frontier California Inc., Frontier Communications of the Southwest Inc., Citizens Telecommunications Company of California Inc.;
- Race Telecommunications, LLC;

²⁹ Petition for Rulemaking, at 27-30.

- US Telecom; and
- California Cable and Telecommunications Association (CCTA);

The Commission received timely replies to responses on November 15, 2021 from:

- County of Inyo, Town of Truckee, County of Mono, County of Placer, Town of Mammoth Lakes, County of Nevada;
- US Telecom;
- AT&T;
- Level 3 Telecom of California, LP, CenturyLink Communications, LLC, Level 3 Communications, LLC;
- Joint Respondents;
- Cal Advocates;
- CCTA;
- CTIA; and
- Verizon.

Parties opposing the petition assert that the Commission lacks authority to regulate VoIP, wireless and/or broadband services, and competition in the voice communications marketplace makes regulation unnecessary and unwarranted.³⁰

³⁰ *Opposition Of AT&T California (U1001C); AT&T Corp. (U5002C); Teleport Communications America, Llc (U5454C); New Cingular Wireless Pcs, LLC (U3060C); AT&T Mobility Wireless Operations Holdings, Inc. (U3021C); And Santa Barbara Cellular Systems Ltd. (U3015C) (Collectively, "AT&T") To Petition Of The Public Advocates Office For Rulemaking To Amend General Order 133-D To Establish Minimum Service Quality Standards For All Essential Communications Services, filed November 4, 2021, at 2-6, 11-14; Response Of Frontier California Inc. (U1002C) Citizens Telecommunications Company Of California Inc. (U1024C) Frontier Communications Of The Southwest Inc. (U1026C) ("Frontier") To Petition Of The Public Advocates Office For Rulemaking To Amend General Order 133-D To Establish Minimum Service Quality Standards For All Essential Communications Services, filed November 4, 2021 (Frontier Response), at 2-8; Response Of MCI Communications Services LLC (U5378C), MCI Metro Access Transmission Services Corp. (U5253C),*

Footnote continued on next page

Some parties also oppose changing the current policy permitting investments in lieu of penalties, arguing that recent Commission resolutions rejecting investment plans do not provide a sufficient basis to reject this policy altogether.³¹

Parties supporting the petition argue the Commission does have authority to adopt and enforce minimum service quality service standards applicable to VoIP, wireless, and broadband; the Commission has found key components of California's telecommunications industry -- namely, the residential high speed broadband market and the mobile data market -- to be highly concentrated, which negates arguments that competition will ensure service quality; and even if the telecommunications market were competitive, competition is not a

And Cellco Partnership Dba Verizon Wireless (U3001C) To Petition Of The Public Advocates Office For Rulemaking To Amend General Order 133-D To Establish Minimum Service Quality Standards For All Essential Communications Services, filed November 4, 2021, at 2-8; *Response Of Calaveras Telephone Company (U1004C), Cal-Ore Telephone Co. (U1006C) Ducor Telephone Company (U1007C), Foresthill Telephone Co. (U1009C), Happy Valley Telephone Company (U1010C), Hornitos Telephone Company (U1011C), Kerman Telephone Co. (U1012C), Pinnacles Telephone Co. (U1013C), The Ponderosa Telephone Co. (U1014C), Sierra Telephone Company, Inc. (U1016C), The Siskiyou Telephone Company (U1017C), Volcano Telephone Company (U1019C), Winterhaven Telephone Company (U1021C) (The "Small ILECs") To Petition Of The Public Advocates Office For Rulemaking To Amend General Order 133-D To Establish Minimum Service Quality Standards For All Essential Communications Services*, filed November 4, 2021 (Small ILECs Response), at 2-7; *Response Of Consolidated Communications Of California Company (U1015C) And Consolidated Communications Enterprise Services, Inc. (U7261C) To Petition For Rulemaking To Amend General Order 133-D*, filed November 4, 2021, at 1-3; *Response Of Consolidated Communications Of California Company (U1015C) And Consolidated Communications Enterprise Services, Inc. (U7261C) To Petition For Rulemaking To Amend General Order 133-D to Establish Minimum Service Quality Standards for All Essential Communications Services*, filed November 5, 2021 (CCTA Response), at 8, 14, 17-21; *Response Of Consolidated Communications Of California Company (U1015C) And Consolidated Communications Enterprise Services, Inc. (U7261C) To Petition For Rulemaking To Amend General Order 133-D*, filed November 4, 2021, at 2-18.

³¹ Frontier Response, at 11; Small ILECs Response, at 9-10; CCTA Response, at 28-31.

substitute for service quality standards.³² These parties also support revisiting the penalty mechanism based on service quality deficiencies of AT&T's and Frontier's networks.³³

2. Considerations for New Rulemaking

For the reasons set forth below, we grant Cal Advocates' petition for rulemaking, although we decline to adopt the specific proposal for modifying GO 133-D included Cal Advocates' petition. The findings and recommendations of the Network Exam weigh strongly in favor of initiating a new rulemaking to consider modifications to GO 133-D. Additionally, the Commission has recently found in certain cases that the existing penalty framework, which permits investment in lieu of penalties, is ineffective in remedying identified service quality deficiencies.³⁴

We also agree that a decreasing proportion of Californians rely on traditional wireline telephone service, while an increasing proportion rely on VoIP, wireless, and/or broadband for their voice communication needs.³⁵ Therefore, we will consider whether and how to establish and enforce service quality standards for voice communications services provided via VoIP, wireless, and broadband.

The Legislature contemplated a significant role for the Commission in closing the digital divide in California and bringing advanced communications services, including broadband Internet access, to all Californians as evidenced by

³² *Response Of Consolidated Communications Of California Company (U1015C) And Consolidated Communications Enterprise Services, Inc. (U7261C) To Petition For Rulemaking To Amend General Order 133-D*, filed October 29, 2021 (TURN, CWA, and C for AT Response), at 3 -8, 13-14.

³³ TURN, CWA, and C for AT Response, at 9-10.

³⁴ *See, e.g.*, Resolutions T-17731 and T-17734.

³⁵ *See* Network Exam Report, Phase 1, Chapter 4 at 115-120.

Pub. Util. Code §§ 709, 280, 281, 275.6, 871 *et. seq.*³⁶ And courts have recognized states' police powers and their role in protecting consumers.³⁷ Based on its police powers, the Commission has adopted other rules to protect consumers, including emergency service requirements, network resiliency requirements, low-income support programs, and physical structures such as poles and conduits.³⁸ Additionally, the Commission must ensure that telephone corporations provide customer service that meets reasonable statewide service quality standards including, but not limited to, standards regarding network technical quality, telephone support, installation, repair, and billing.³⁹ The Commission has previously determined that wireless and interconnected VoIP providers meet the definition of telephone corporations.⁴⁰ In the Commission's rulemaking on emergency disaster relief (R.18-03-011), the Commission confirmed jurisdiction over VoIP providers and wireless telephone corporations and defined a minimum level of service and coverage that VoIP and wireless providers must achieve for public health and safety purposes.⁴¹

³⁶ D.20-07-032 *Decision Adopting Metrics and Methodologies for Assessing the Relative Affordability of Utility Service*, issued July 22, 2020, at 34.

³⁷ *Mozilla Corporation v. Federal Communications Commission* (D.C. Cir. 2019) 940 F.3d 1, 81; *American Cable Association, et. Al. v. Becerra*, February 23, 2021, Hearing Transcript, at 62-67.

³⁸ D.14-01-036 *Decision Adopting Revisions to Modernize and Expand the California LifeLine Program*, issued January 27, 2014, at 46-48. D.16-08-021, at 26; D.20-07-011, at 17-22; *See also* Pub. Util. Code § 451, stating that the Commission has jurisdiction over utility "instrumentalities, equipment, and facilities...as are necessary to promote the safety, health, comfort, and convenience of the utility's patrons, employees, and the public."

³⁹ Pub. Util. Code § 2896.

⁴⁰ D.19-08-025, at Conclusions of Law 17, 28.

⁴¹ D.20-07-011 *Decision Adopting Wireless Provider Resiliency Strategies*, issued July 20, 2020, at Conclusions of Law 1, 5, 7, 9-43.

This OIR is opened to assess whether service quality measures adopted in D.16-08-021 (as modified by D.16-10-019)/GO 133-D:

- Meet the goals of GO 133 (*i.e.*, ensure that telecommunications providers meet the level of service required by Pub. Util. Code § 451);
- Remain relevant to today's regulatory environment and market; and
- Incorporate an effective penalty mechanism and enforcement framework.

Additionally, this OIR closes the docket for Petition 21-10-003.

3. Preliminary Scoping Memo

The preliminary scope of issues in the proceeding is set forth below. (*See* the Commission's Rules of Practice and Procedure (Rules), Rule 7.1(d).⁴² As an initial matter, the Commission invites comments on this OIR; pursuant to Rule 6.2, comments on an OIR shall state any objections to the preliminary scoping memo regarding the category, issues to be considered, or schedule. The Commission also seeks comment on Phase 1 issues. The precise issues to be addressed and the process for addressing those issues will be set forth in an Assigned Commissioner's Scoping Memo. After the resolution of issues in Phase 1, the Commission will address the remaining procedural schedule.

3.1. Phase 1

1. Are there any existing service quality metrics that should be extended to wireless and interconnected VoIP services? Specify which metrics should apply to each type of technology.

⁴² All references to "Rules" are to the Commission's Rules of Practice and Procedure unless otherwise indicated.

2. Should the Commission modify any of the existing service quality metrics and standards, and reporting requirements? If so how?
 - a. for each type of technology, if applicable.
3. Does GO 133-D's enforcement framework and penalty mechanism serve the public interest in ensuring adequate and appropriate investments in the state's telecommunications infrastructure? If not, how should the Commission modify GO 133-D to more effectively achieve this outcome?

3.2. Phase 2

1. Should the Commission adopt service quality metrics and standards and reporting requirements applicable to services provided via broadband?
 - a. If so, specify the service quality metrics and standards, reporting requirements and enforcement framework for services provided via broadband.

We intend for the scope of this rulemaking to be broad, and the assigned Commissioner may revise the scope to include other relevant issues that may arise in answering these questions. This order invites parties to respond to the questions listed above. The precise issues to be addressed and the process for addressing those issues will be set forth in an assigned Commissioner's Scoping Memo.

3.3. Categorization; *Ex Parte* Communications; Need for Hearing

The Commission's Rules of Practice and Procedure require that an order instituting rulemaking preliminarily determine the category of the proceeding and the need for a hearing. As a preliminary matter, we determine that this proceeding is quasi-legislative because our consideration and approval of this matter would establish policy or rules affecting a class of regulated entities.

Accordingly, *ex parte* communications are permitted without restriction or reporting requirement pursuant to Article 8 of the Rules.

We preliminarily determine that hearings are not necessary. However, the assigned Commissioner may re-evaluate the need for hearings when issuing the scoping memo for this proceeding.

3.4. Preliminary Schedule

The preliminary schedule is set forth below. The assigned Commissioner and Administrative Law Judge (ALJ) have the authority to set other dates in the proceeding or modify those below as necessary.

Day 1	Order Instituting Rulemaking issued
Day 20	Deadline for requests to be on service list
Day 46	Initial Comments on Phase 1 issues filed and served
Day 61	Reply Comments on Phase 1 issues filed and served

The determination on the need for further procedural measures, including the scheduling of a pre-hearing conference, discovery, technical workshops, and/or evidentiary hearings will be made in one or more rulings issued by the assigned Commissioner. Any party that believes an evidentiary hearing is required may address such need for hearing in comments and reply comments on this Order Instituting Rulemaking (OIR).

The assigned Commissioner or the assigned ALJ may change the schedule to promote efficient and fair administration of this proceeding. Today's decision sets a due date for comments and reply comments on the OIR. The schedule for the remainder of the proceeding will be adopted in the assigned Commissioner's Scoping Memo.

Due to the complexity and number of issues in this proceeding, it is the Commission's intent to complete this proceeding within 24 months of the date this decision is adopted. (Pub. Util. Code § 1701.5(b).)

If there are any workshops in this proceeding, notice of such workshops will be posted on the Commission's Daily Calendar to inform the public that a decision-maker or an advisor may be present at those meetings or workshops. Parties shall check the Daily Calendar regularly for such notices.

4. Service of OIR

The official service list for Petition 21-10-003 shall be the initial official service list for the rulemaking proceeding instituted by this order. Thus, any person or entity that is listed in the Party category, State Service category, or Information Only category on the Official Service List for Petition 21-10-003 will transfer to the same category on the Official Service List for this rulemaking proceeding.

We additionally provide service of this OIR to every voice, wireless and broadband provider in California, as listed in Attachment A; any new or modified rules adopted in this proceeding may apply to every voice, wireless and broadband provider that operates in California at the time such rules are adopted.

Service of the OIR does not confer party status or place any person who has received such service on the Official Service List for this proceeding. Instructions for obtaining party status or being placed on the official service list are given below.

5. Filing and Service of Comments and Other Documents

Filing and service of comments and other documents in the proceeding are governed by the Commission's Rules of Practice and Procedure.

Parties are instructed to only serve documents on the assigned Commissioner, advisors to the assigned Commissioner, and the assigned ALJ(s) by electronic copy and not by paper copy, unless specifically instructed to do otherwise.

6. Addition to Official Service List

Addition to the official service list is governed by Rule 1.9(f) of the Commission's Rules of Practice and Procedure.

Respondents are parties to the proceeding (*see* Rule 1.4(d)) and will be immediately placed on the official service list.

Any person will be added to the "Information Only" category of the official service list upon request, for electronic service of all documents in the proceeding, and should do so promptly in order to ensure timely service of comments and other documents and correspondence in the proceeding. (*See* Rule 1.9(f).) The request must be sent to the Process Office by e-mail (process_office@cpuc.ca.gov) or letter (Process Office, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102). Please include the Docket Number of this rulemaking in the request.

Persons who file responsive comments thereby become parties to the proceeding (*see* Rule 1.4(a)(2)) and will be added to the "Parties" category of the official service list upon such filing. *In order to assure service of comments and other documents and correspondence in advance of obtaining party status, persons should promptly request addition to the "Information Only" category as described above; they will be removed from that category upon obtaining party status.*

7. Subscription Service

Persons may monitor the proceeding by subscribing to receive electronic copies of documents in this proceeding that are published on the Commission's

website. There is no need to be on the official service list in order to use the subscription service. Instructions for enrolling in the subscription service are available on the Commission's website at <http://subscribecpuc.cpuc.ca.gov/>.

8. Intervenor Compensation

Intervenor Compensation is permitted in this proceeding. Pursuant to Pub. Util. Code § 1804(a)(1), a customer who intends to seek an award of compensation must file and serve a notice of intent to claim compensation within 30 days after the prehearing conference. Parties new to participating in Commission proceedings may contact the Commission's Public Advisor.

9. Public Advisor

Any person or entity interested in participating in this rulemaking who is unfamiliar with the Commission's procedures should contact the Commission's Public Advisor in San Francisco at (415) 703-2074 or (866) 849-8390 or e-mail public.advisor@cpuc.ca.gov. The TTY number is (866) 836-7825.

10. Public Outreach

Public Utilities Code § 1711(a) states:

Where feasible and appropriate, except for adjudication cases, before determining the scope of the proceeding, the commission shall seek the participation of those who are likely to be affected, including those who are likely to benefit from, and those who are potentially subject to, a decision in that proceeding. The commission shall demonstrate its efforts to comply with this section in the text of the initial scoping memo of the proceeding.

The Commission's Public Advisor's Office will conduct outreach to teachers' unions, school districts, libraries, safety organizations (the California Governor's Office of Emergency Services, Office of Energy Infrastructure Safety, California Department of Forestry and Fire Protection, local fire and public safety departments), local governments and tribes following adoption of this order and

prior to a prehearing conference. Any additional public outreach will be described in the scoping memo of the assigned Commissioner.

11. Closure of the Docket for Petition 21-10-003

This OIR closes the docket for Petition 21-10-003. All documents that are filed and/or served in the rulemaking proceeding instituted by this OIR should have the caption for the rulemaking proceeding (and not for Petition 21-10-003).

12. Assignment of Petition 21-10-003

Darcie L. Houck is the assigned Commissioner for Petition 21-10-003 and Valerie U. Kao is the assigned ALJ.

O R D E R

IT IS ORDERED that:

1. Petition 21-10-003 is granted with respect to initiating a rulemaking to consider amendments to the Commission's service quality standards in General Order 133-D.

2. This Order Instituting Rulemaking is adopted pursuant to Rule 6 of the Commission's Rules of Practice and Procedure.

3. The preliminary categorization is quasi-legislative.

4. The preliminary determination is that a hearing is not needed.

5. The preliminary scope of issues is as stated above in Section 3.

6. Any party that expects to claim intervenor compensation for its participation in this Rulemaking must file its notice of intent to claim intervenor compensation in accordance with Public Utilities Code § 1804(a)(1) and Rule 17.1(a)(2).

7. Petition 21-10-003 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

ATTACHMENT A:
List of Providers

Attachment A
List of Providers

<u>Utility ID Number</u>	<u>Provider Name</u>
4526	2600Hz, Inc
1618	2600Hz, Inc.
4540	2825 Ultimate Wireless, Inc.
1117	2Talk, LLC
1747	4 Voice LLC
1293	7G Network, Inc.
6963	800 Response Information Services, LLC
1740	805VoIP LLC
1139	8x8, Inc.
6758	A+ Wireless, Inc
7364	AB2, LLC
1332	Abacus Group, LLC
1375	Abbax Technologies Inc
1600	AberVoice, Inc.,
1379	Accelerated Voice LLC
1434	Access Media Holdings, LLC
6104	Access One, Inc.
1123	AccessLine Communications Corporation
1485	ACN Communication Services, LLC
6342	Acn Communications Services, LLC
1763	Advanced Hosted Services, Inc.
7219	Advanced Technology Distributors, Inc.
1584	Advanced Telecom Solutions, LLC
6148	Advantage Telecommunications Corp
1372	Advent Technologies Inc.
1447	Affiliated TEchnology Solutions Inc
5229	Affinity Network Incorporated
1242	Agility Communications and Technology Services Company
4451	Air Voice Wireless, LLC
6692	Airespring, Inc.
3011	AirTouch Cellular
1348	Airus Inc

7175	Airus, Inc.
1561	ALE USA Inc.
1661	Allbridge, LLC
1702	Allegiant Networks, LLC
7144	Alliance Global Networks LLC
1280	Alliant Technologies LLC
4512	Alliant Technologies, LLC
1552	Allied Telesis Capital Corp.
7349	Allied Telesis Capital Corporation
3025	Alltel Corporation
1268	AltaWorx, LLC
1580	Alternate Network Technologies Inc.
7368	AMCS LLC
4457	American Broadband and Telecommunications Company
7342	American Dark Fiber, LLC
2157	American Messaging Services, LLC
5991	American Phone Services, Corp
1406	American Prepaid Telecard Inc.
7082	American Telephone Company LLC
7209	American Telesis, Inc.
4458	AmeriMex Communications Corp.
5244	Ameritel/ Amerivision Comms Inc.
1792	AMP Networks LLC
6418	ANPI Business, LLC
5795	ANPI, LLC
7297	Anza Electric Co-operative, Inc.
1384	Anza Electric Cooperative, Inc.
1369	APXnet Inc
1649	Aquablue, LLC
7381	Arcadian Infracom, Inc.
1275	Arena One, LLC.
1399	Arkadin, Inc.
5248	Arrival Communications, Inc.
1594	Asset Black, LLC
1466	Assist Wireless, LLC
4468	Assist Wireless, LLC
4327	Assurance Wireless USA, L.P.
1587	Astound Broadband, LLC
6184	Astound Broadband, LLC

5002	AT&T Corp.
3021	AT&T Mobility Wireless Operations Holdings Inc.
7264	ATC Outdoor DAS, LLC
7318	Atherton Fiber, LLC
1590	Atlanta DataCom, Inc
1286	Atlantic Metro Communications II, Inc.
7346	Atos Public Safety, LLC
6217	Audeamus
1534	Audian Inc.
1258	Autus Technology, LLC
1761	Avatel Technologies, Inc.
1171	Avaya Cloud Inc.
1757	Axia Technology Partners, LLC
1714	B2B Tech Services, LLC
1545	BA Telecom, Inc.
6323	Backbone Communications, Inc.
7336	Bandwidth IG, LLC
1362	Bandwidth Inc.
7038	Bandwidth.Com Clec, LLC
1585	BBTel. Inc
6687	BCM One, Inc.
6641	BCN Telecom, Inc.
1152	BCT Consulting, Inc.
7094	Belmont Telecom, Inc.
7323	Berkeley Glass & Light
1323	Bespoke Communications LLC
4381	Best Buy Health, Inc.
7194	Bestel (USA), Inc.
6762	Better World Telecom, LLC
4520	Beyond Wireless, LLC
1798	BlackPoint IT Services, Inc.
1313	Block Line Systems, LLC
1673	Blu Space Inc
1425	Bludog Telecom Inc.
7222	Blue Casa LLC
4437	Blue Jay Wireless, LLC
7169	Blue Rooster Telecom, Inc
1609	BlueCloud Communications LLC
1381	Bluetone Communications LLC

1322	BluIP, Inc
4436	Boomerang Wireless, LLC
1703	BREK Communications, Inc.
1331	Bridgeconnex, LLC
7287	Bright Fiber Network, LLC
6955	Bright House Networks Information Services (California), LLC
7343	Bright Packet, Inc
1305	Broad Communication Solutions, LLC
6742	Broadband Dynamics, LLC
1633	Broadband Voice, LLC
1457	Broadsmart Global, Inc
1234	BroadSoft Adaption, Inc.
6363	Broadview Networks, Inc.
7160	Broadvox-CLEC, LLC
5525	Broadwing Communications, LLC
1707	BT Americas, Inc.
5701	BT Americas, Inc.
6306	BT Communications Sales, LLC
1625	BT Voice, LLC
5357	Buehner-Fry, Inc.
1458	BullsEye Telecom, Inc.
6695	Bullseye Telecom, Inc.
6794	Business Network Long Distance, Inc.
5560	Business Telecom, LLC
7035	Cal-Ore Communications, Inc.
6517	Cal-Ore Long Distance
1006	Cal-Ore Telephone Company
1340	Cal.net, Inc.
7309	Cal.Net, Inc.
1004	Calaveras Telephone Company
7221	California Broadband Cooperative, Inc.
7326	California Internet, L.P.
1290	California Internet, LP
3038	California Rsa No. 4 Ltd. Partnership
3043	California Rural Service Area #1, Inc.
1445	California Telecom Inc.
6598	Call America, Inc.
1593	Call One Inc.
7103	Call One Inc.

7259	CallFire, Inc.
1164	Callis Communications, Inc.
1433	CallTower, Inc.
7363	CallTower, Inc.
6509	Caltel Long Distance
7352	Campus Communications Group, Inc
1705	Campus Communications Group, Inc.
7081	CapTex Telecom, LLC
1771	Carousel Industries of North America, Inc.
1142	CARYCO Tech
7011	Cause Based Commerce, Inc.
5393	CBTS Technology Solutions LLC
7007	CCI Network Services, LLC
1329	CCI Systems, Inc.
5607	CCT Telecommunications, Inc.
1130	Cebridge Telecom CA, LLC
6996	Cebridge Telecom Ca, LLC
1223	Cedar Wireless, Inc.
3001	Cellco Partnership
7181	Cenic Broadband Initiatives LLC
1247	Central Park Systems Corporation
7127	Central Telecom Long Distance, Inc.
1321	Central Valley Networks, Inc.
1398	Centurylink Communications LLC
5335	CenturyLink Communications, LLC
1022	Centurytel of Eastern Oregon, Inc.
7068	Channel Islands Telephone Company
6878	Charter Fiberlink CA-CCO, LLC
1468	Chicago Business VoIP, LLC
4483	China Telecom (Americas) Corporation
4507	China Unicom (Americas) Operations, Ltd.
6791	Chunghwa Telecom Global, Inc.
4426	Cintex Wireless, LLC.
1219	CIO NOW, LLC
1715	Cirrus Response Inc.
1024	Citizens Telecommunications Co. of Ca.
7333	City Communications, Inc
1397	Clarity Communication Advisors Inc.
6413	Claro Enterprise Solutions, LLC

7238	Clear Rate Communications, Inc.
1627	ClearFuze Networks, Inc.
1780	Clearly IP Inc
1518	Cloud Computing Concepts, LLC
1308	Cloudcall, Inc.
1467	CNK Network Solutions
1741	Coastline Technology Group
1334	Cobalt IT, Inc.
1588	COEO Solutions, LLC
6716	Cogent Communications of Calif., Inc.
1238	Cohere Communications, LLC
1601	ComApp Technologies, LLC
4508	Comcast OTR1, LLC
5698	Comcast Phone of California, LLC
1615	ComDirect, Inc.
1351	Comm-Core LLC
1645	Common Sense, LLC
5456	Communications Brokers & Consultants
6917	Communications Network Billing, Inc.
7156	Communications Telefonicas Latinas Corp.
1553	ComNet (USA) LLC
7330	Comnet (USA) LLC
1630	Computer Technology Solutions, Inc.
1801	Computer Telephony Innovations, Inc.
6469	Comtech 21, LLC
1675	Configure, Inc.
1527	Conifer Communications, Inc.
6977	Connect To Communications, Inc.
1355	ConnectMe LLC
4541	ConnectTo World, Inc.
7261	Consolidated Communications Enterprise Services, Inc.
1015	Consolidated Communications of California Company
1539	Consolidated Smart Broadband Systems, LLC
4328	Consumer Cellular, Incorporated
6984	Consumer Telcom, Inc.
7057	Conterra Wireless Broadband LLC
1799	Contivio.com Corporation
1569	Convergence Solutions, Inc
1519	ConVergence Technologies, Inc.

6772	Convergia, Inc.
1572	Corcom Communications, Inc
7267	Corcom Communications, Inc.
1498	Covoda Communications, Inc.
5684	Cox California Telcom, LLC
1460	Cox Strategic Services, LLC
1294	Creative Business Solutions, LLC
6663	Creative Interconnect Communications
7199	Crexendo Business Solutions, Inc.
4460	Cricket Wireless LLC
1781	CrossTalk Solutions, LLC
6190	Crown Castle Fiber, LLC
7150	Cruzio Media, Inc.
4527	CSC Wireless, LLC
5532	CTC Communications Corp
5776	Custom Network Solutions, Inc.
6017	Custom Teleconnect, Inc.
7216	CVIN, LLC
4176	Cybernet Communications
5472	Cybernet Communications, Inc.
1711	Cynexlink LLC
1229	Cytracom, LLC
1484	D4US, LLC
1760	Datavocity West, LLC
7283	Dati Cloud, LLC
1663	DCT Telecom Group, Inc.
1725	Dedicated IT, LLC
5760	DeltaCom, LLC
1358	DentalTek LLC
1756	DepositionConferencing.com, Inc.
1281	Desert Telecom Inc.
7272	Dial World Communications, LLC
5385	Dialink Corporation
1307	Dialpad, Inc.
1176	DigiLink, Inc.
1557	Digital Comm Inc.
7229	Digital Transportation Corp.
1576	Digital West Networks, Inc
4514	Digital West Networks, Inc.

7184	Digital West Networks, Inc.
1151	DigitalPath, Inc.
4533	DISH Wireless LLC
1453	Distributed Computing, Inc.
1241	DLS Computer Services, Inc.
4534	DM Ventures, Inc.
1476	DMR Communications, Inc
6735	DMR Communications, Inc
7136	Dollar Phone Enterprise, Inc.
1772	Dove Communications Inc.
1506	DPAccess, LLC
1422	DSCI, LLC
6822	DSCI, LLC
1768	DTS Technology Group
1007	Ducor Telephone Company
1665	Dutale, Inc.
1528	DVS Technologies, LLC
1731	DYL, LLC
7288	Dynalink Communications, Inc.
1729	DyoPath, LLC
7383	EarthGrid PBC
1753	Earthlink, LLC
6778	Easton Telecom Services, LLC
7373	EcoVate, Inc.
1690	Edge Communications Solutions LLC
1605	Ednetics, Inc.
1713	Education Networks of America, Inc.
7148	EKAG LLC
1450	Electric LightWave, LLC
5377	Electric Lightwave, LLC
7382	EM3 Networks, LLC
1509	EMD Networking Services, Inc.
1390	EMRFaxBox LLC
7075	ENA Healthcare Services, LLC
1531	Encartele, Inc.
1211	Encore Technology Group, LLC
1800	End2End Communications LLC
7313	eNetworks, LLC
1495	Engage Holdings, LLC

6273	Enhanced Communications Group, LLC
4431	Enhanced Communications Network Inc.
6658	Enhanced Communications Network, Inc.
7151	Entelegant Solutions, Inc.
1232	Equivoice, Inc.
1614	Essensys, Inc.
1279	Estech Systems, Inc.
1721	Eton InfoComm Technology Inc.
1782	Evacomm Corporation
4260	Everything Wireless, LLC
1175	Evolve IP
4509	Excellus Communications, LLC
4476	EXCESS TELECOM
1565	Exiant Communications LLC
1508	Expert Wireless & IT Solutions LLC
7104	Express Telecommunications Network LLC
1409	Extended Office Solutions, Inc.
6959	Extenet Systems (California) LLC
7367	ExteNet Systems, Inc.
1155	EZ Network Systems, Inc.
1271	Eze Castle Integration, Inc.
7052	Fastblue Communications, Inc.
1181	Fastmetrics, Inc
7227	Fiber International, LLC
7239	Fireline Network Solutions, Inc.
1436	FireServe, LLC
6948	First Choice Technology, Inc.
6837	First Communications, LLC
1793	Fisher Computer Consulting Inc.
4277	Fisher Wireless Services, Inc
7275	Five9 Inc
1299	Flagman Telecom Inc.
4416	Flash Wireless, LLC
1795	FlexIP Solutions Inc.
1441	Flounders Communications, Inc.
1650	FluentStream Technologies, LLC
1733	FMS Enterprises, LLC
1648	Fonality, Inc.
1454	Fore Street Telecom LLC

1592	Forerunner Technologies, Inc.
1009	Foresthill Telephone Company, Inc.
1577	Fortessa Hosting
1522	Fourteen IP, Inc.
1507	FracTel LLC
1479	France Telecom Corporate Solutions L.L.C.
4404	France Telecom Corporate Solutions, LLC
6753	France Telecom Corporate Solutions, LLC
1161	Freeway Communications LLC
1420	Fresno Area Telephone & PBX
2101	Fresno Mobile Radio Inc.
3005	Fresno Msa Ltd. Partnership
1002	Frontier California Inc.
1548	Frontier Communications of America Inc.
5429	Frontier Communications of America, Inc
1026	Frontier Communications of the Southwest Inc.
7167	Frontier Communications Online & LD
1640	Fulton Communications, Inc
6446	Fusion Communications, LLC
1575	Fusion, LLC
6067	Fusion, LLC
1317	G12 Communications, LLC
1165	G3 Telecom USA, Inc.
7237	G3 Telecom USA, Inc.
1579	Gabbit, LLC
1370	Gateway Telnet Inc
7215	GC Pivotal, LLC
4521	Gen Mobile, Inc.
7241	GetGo Communications, LLC
7387	Gigabit Now California LLC
1202	GigaKOM Inc.
7388	GigaMonster Networks, LLC
1287	Giggle Fiber, LLC
1728	Gladius Technologies Inc.
1250	Glencom Corporation, Inc.
6914	Global Connect Telecommunications, Inc
4423	Global Connection Inc of America
5685	Global Crossing Local Services, Inc
5005	Global Crossing Telecommunications, Inc

5680	Global Tel*Link Corporation
1586	Global Telecom Exchange, LLC
1439	GlobalPhone Corporation
4349	Globalstar USA, LLC
1246	Go Solo Technologies of Florida One, Inc.
1766	GoCo Technology (U.S.) Inc.
1473	GoDaddy.com, LLC
7329	GoDaddy.com, LLC
7247	Golden Bear Broadband LLC
1487	Google Fiber North America Inc.
1352	Google North America Inc.
4478	Google North America Inc.
1683	Google Voice, Inc.
1410	GoTel Communications, LLC
4353	Granite Telecommunications, LLC
1354	Granite Telecommunications LLC
6842	Granite Telecommunications, LLC
7197	Grasshopper Group, LLC
6649	Great America Networks, Inc.
1700	Green River Falls, LLC
1178	Greenfly Networks, Inc.
1564	Grupo NGN, Inc.
3002	GTE Mobilnet of Ca., Ltd. Ptnrshp
1642	GTT Americas, LLC
6673	GTT Americas, LLC
1616	Hamilton Long Distance Company
7356	Hamilton NG911, Inc.
1417	Happy Hamster Computer Repair LLC
1010	Happy Valley Telephone Co.
1604	HD Carrier LLC
1547	Headland Communications
7357	Hearsay Social, Inc.
1666	HEHE Enterprises, LLC
7374	HFA of California LLC
1697	HFA Services LLC
1736	Horizon Cable TV, Inc.
1011	Hornitos Telephone Company
1482	Hosted Connection, Inc.
7371	Hudson Fiber Network Inc.

1228	Hughes Network Systems, LLC
7281	Hunter Communications, Inc.
1570	Hypercore Networks Inc
4372	I-Wireless, LLC
7301	iBasis Retail Inc.
1536	ICIM Corporation
1475	iCommerce Services, Inc.
1163	iCore Networks, Inc.
5427	IDT America Corp.
7240	IFN.com, Inc.
1597	IGEM Communications LLC
1296	Iloka, Inc.
4499	IM Telecom, LLC
1138	Impulse Advanced Communications, LLC
7164	Impulse Telecom, LLC
1270	inContact, Inc.
5979	Incontact, Inc.
1260	iNet Communications, LLC
1324	InfoReach, Inc.
1778	Inland Premier IT Solutions, Inc.
6813	Inmate Calling Solutions, LLC
1608	Innovative Telephone and Data Solutions, LLC
7282	Integrated Path Communications, LLC
1776	Integrated Service Solutions, Inc.
7050	Integrated Services Inc.
5617	Integrated Telemanagement Services
1544	Integrity Networks of CA LLC
1767	IntelPeer Networks LLC
1440	Intellextrace, Inc.
6970	Intellextrace, Inc.
1530	Intelligent Communications Services
1391	Interactive Intelligence Telecom Inc
1706	Interactive Services Network, Inc.
1443	Interface Security Systems, LLC
1119	INTERGLOBE COMMUNICATIONS, INC.
7355	Intermountain Infrastructure Group, LLC
5964	International Telcom, LLC
1337	Interstar, Incorporated
4539	InTouch America, Inc.

6592	Intrado Communications, LLC
1148	Intrado IP Communications, Inc.
6579	Intrado Safety Communications, Inc.
1469	Inviacom, Inc.
7159	Inyo Networks, Inc.
1758	IP Horizon LLC
1330	IP Living, LLC
1197	IP Networked Services, Inc.
6362	IP Networks, Inc.
7266	IPC Network Services, Inc.
1356	Ipitimi Inc
1424	Ipitomy Communications LLC
1359	Iprot Inc
1596	ipSBS Managed Services, LLC
1483	IsoFusion, Inc.
1319	IT Management Corporation
7303	IT Management Corporation
1501	IT Support Pros, Inc.
1664	iTalk Global Communications, Inc.
1465	ITC Global Networks, LLC
4536	J. Rhodes Enterprises, LLC
7262	Jagat International, LLC
1215	Jive Communications, Inc.
7360	Jive Communications, Inc.
1568	Jive Technology Inc
1146	Jivetel Inc.
1472	JT Global, Limited
1623	Junction Cloud Connections, Inc.
1339	Junction Networks, Inc.
1794	Juxto, LLC
4488	Kajeet, Inc.
7235	Karuk Tribe
4502	KDDI America, Inc.
5984	Kddi America, Inc.
1012	Kerman Telephone Company
1652	King Tech Repair LLC
4482	Konatel, Inc.
1603	Konica Minolta Business Solutions U.S.A, Inc.
1595	Kornerstones, Inc

6143	KT America, Inc.
1720	Kumo Cloud Solutions, Inc.
1688	Lake Linx Inc.
7243	LCB Communications, LLC
6046	LCR Telecommunications, LLC
5837	LDMI Telecommunications, LLC
1784	Leap Telecom, LLC
6624	Legent Comm LLC
5941	Level 3 Communications, LLC
5358	Level 3 Telecom of California, LP
4545	Lexvor
4523	Liberty Mobile Wireless LLC
7274	LightSpeed Networks, Inc.
1132	Lightyear Network Solutions, LLC
1755	LimeBox Networks, LLC
1662	Lingo Telecom of the West, LLC
7118	Lingo Telecom of the West, LLC
7234	Lit San Leandro, LLC
7249	Local Access Services LLC
4485	Locus Telecommunications, LLC
7263	Logical Telecom, LP
7048	Long Distance Access, Inc.
6532	Long Distance Consolidated Billing Co.
7276	Look International, Inc.
3003	Los Angeles Smsa Limited Partnership
1744	Loud & Clear Telecommunications, LLC
7380	LTS Telecommunications Services (USA) Inc.
7365	Lucky Fiber, LLC
7324	Lumacel LLC
1289	LunaTech, Inc.
7321	LV.Net
4513	Lycamobile USA Inc.
1631	Magic Apple Technology, LLC
1429	MagicJack SMB, Inc.
1357	Magna5 LLC
7292	Magna5 LLC
1641	Mango Voice, LLC
1754	Marco Technologies, LLC
4543	Marconi Wireless Holdings, LLC

1191	Masergy Cloud Communications, Inc.
7176	MassComm, LLC
1657	Matrix Telecom, LLC
5227	Matrix Telecom, LLC
1611	Maven IT, Inc.
7017	MCC Telephony of the West, LLC
4386	MCI Communications Services, LLC
5378	MCI Communications Services, LLC
4438	MCImetro Access Transmission Services Corp.
5253	MCImetro Access Transmission Services LLC
5712	McLeod USA Telecommunications Services, LLC
7189	Medallion Telecom Inc.
1712	Medtel Communications, LLC
1187	Meriplex Telecom, LLC
3079	Metropcs California, LLC
6568	Metropolitan Telecomm of Calif., Inc.
4532	Mint Mobile, LLC
7359	Miron Enterprises, LLC
1521	Mitel Cloud Services, Inc.
1551	MitoTec, LLC
1404	Mix Networks Inc.
1400	MJ2 IP, LLC
4537	Mobi Wireless Inc.
4464	Mobile Net POSA, Inc.
7203	Mobilitie Newport Holdco, LLC
1535	Modok, LLC
1571	Momentum Telecom, Inc
1583	Monster Technology, LLC
1389	Morse Communications Inc
7152	Mosaic Networx, LLC
1233	Mother Network Guardians LLC
5859	Mpower Communications Corp.
6973	Mpower Networks Services, Inc.
7029	Multiline Long Distance, Inc.
6799	National Access Long Distance, Inc.
5341	National Comtel Network Inc.
1724	National Processing Alliance, Inc.
6999	Nationwide Long Distance Service, Inc.
1253	NEC Cloud Communications America, Inc.

1658	NetCarrier Telecom, Inc.
1116	NetFortris Acquisition Co., Inc.
6647	NetFortris Acquisition Co., Inc.
7378	Netly Fiber Holdings, LLC
7344	Netly, LLC
1201	NetstaffHR, Inc
6086	Network Communications International Corp.
1122	Network Innovations, LLC
7023	Network Innovations, LLC
1504	Network Integration Company Partners Inc.
6330	Network IP, LLC
6965	Network Service Billing, Inc.
4542	NetZero Wireless, Inc.
6877	Neutral Tandem California, LLC
7375	Nevada County Fiber Inc
3060	New Cingular Wireless Pcs, LLC
6896	New Horizons Communications Corporation
1407	New Voice Media US, Inc.
1563	nexMatrix Telecom, Inc.
1671	Nexogy, Inc.
1283	Nextiva Government and Education, LLC
1118	NEXTIVA. INC,
1266	nexVortex, Inc.
7347	NGA 911, LLC
1638	No More PBX, LLC
7212	Nobelbiz VOIP Services, Inc.
1136	Nobelbiz, Inc.
1636	Noble Systems Communications LLC
1709	NocTel Communications, Inc.
1237	Norcal Networks, Incorporated
6640	Norcast Communications Corporation
4528	Norcell LLC
1512	Northland Cable Television , Inc.
1411	Northview Communications Inc.
5251	Nos Communications, Inc.
4371	Nosva Limited Partnership
5434	Nosva, Limited Partnership
1168	NPG Digital Phone, LLC
1669	NSv Connect, LLC

1367	NthoNet Inc
1423	NTT America, Inc.
1639	NumberBarn, LLC
1659	Nuso, LLC
1327	NuWave Communications, Inc.
1263	NWN Corporation
6065	O1 Communications, Inc
7056	OACYS Technology
1751	OIT, LLC
1326	Olaffe, LLC
1610	One Ring Networks Inc
6900	One Voice Communications, Inc.
1558	Onepath Systems, LLC
1738	OneStream Networks, LLC
1213	Ongoing Operations, LLC
6981	Online Savings, Inc.
4324	Onstar LLC
3090	Onvoy Spectrum, LLC
1542	Onvoy, LLC
6487	Onvoy, LLC
1291	Ooma, Inc.
7379	Open5G Inc.
7345	OpenFiber Inc.
6284	Openpop.Com, Inc
6081	Opex Communications, Inc
1203	Orange Business Services U.S., Inc.
4538	Orbic North America, LLC
1532	Origin Networks, LLC
7341	Origin Networks, LLC
1001	Pacific Bell
1470	Pacific Centrex Datavo, LLC
7154	Pacific Lightwave, a California Corporation
1647	Pacific Tower Ventures, LLC
1523	Pact-One Solutions, Inc.
6097	PAETEC Communications, LLC
1401	PanTerra Networks Inc.
7366	Patriot Fiber, LLC
4473	Patriot Mobile, LLC
6850	Paxio, Inc.

7174	Pay Tel Communications, Inc
1556	PayG, LLC
1775	Peace Communications LLC
6005	Peak Communications, Inc
7112	Peerless Network of California, LLC
1621	Penny Family Corporation
1480	Perrins Management Corporation
1174	Personal Network for Computing, Inc.
1689	PhoenixSoft, Inc.
1722	Phone Systems Plus
1183	Phone.Com
1646	Phoneware, Inc.
3028	Pinnacles Cellular Inc.
1013	Pinnacles Telephone Company
1693	Pioneer Technology, LLC
3092	Planet Networks CA LLC
1416	PLD, LLC
4484	Plintron Technologies USA LLC
1654	Plivo Inc.
7218	Plumas-Sierra Telecommunications
1497	PNG Telecommunications Inc.
1141	PNG Telecommunications, Inc.
4344	PNG Telecommunications, Inc.
6336	PNG Telecommunications, Inc.
6066	Point To Point
6470	Ponderosa Cablevision
1622	Precision West Telecommunications, Inc.
1373	Preferred Long Distance Inc.
4487	Preferred Long Distance, Inc.
5502	Preferred Long Distance, Inc.
4544	Prepaid Wireless Wholesale, LLC
1788	Priority Communication Services LLC
1726	Priority Telecom Inc.
1791	Protel Communications, Inc.
1789	PS Lightwave, Inc.
7369	PTI Fiber California, LLC
6075	Public Communications Services
7251	Public Interest Telecom of CA
1696	Public Interest Telecom of California

1674	Pulsar360 Corp.
1704	PulseOne Communications, LLC
1245	Pure IP California LLC
4448	Puretalk Holdings, Inc
4419	Q Link Wireless LLC
1431	QuantumShift Communications, Inc.
5935	Quantumshift Communications, Inc.
1620	QxC Communications, Inc
1549	R Squared Telecom LLC
7060	Race Telecommunications, Inc.
1790	RadiantIQ LLC
1681	Rage technologies, Inc
7113	Raw Bandwidth Telecom, Inc
1762	Razz Professional Services, Inc.
1797	RCG Telecommunications Services LLC
7232	RCLEC, Inc.
4461	Ready Wireless, LLC
4447	Red Pocket, Inc.
1739	Red River Technology LLC
3091	Redding MSA Limited Partnership
6549	Reduced Rate Long Distance, Inc.
1254	Reliance Telecommunications, Inc.
1386	Renegade Technologies
4511	Republic Wireless, Inc
7314	Ridge Communications, Inc.
1637	Ring-U, LLC
1533	Ringaro Telecom, Inc.
1144	Ringcentral, Inc.
1318	RingRx, LLC
7098	Roadway Communications, Inc.
1783	Rocket Solutions LLC
1656	Rockynet.com, Inc
1396	ROI Networks LLC
7073	Rural Broadband Now! LLC
1251	S-Net Communications, Inc.
3004	Sacramento Valley Ltd. Partnership
7258	Sage Communications, Inc.
4456	Sage Telecom Communications, LLC
5443	San Carlos Telecom Inc.

1383	Sangoma U.S., Inc.
3015	Santa Barbara Cellular Systems, Ltd.
5800	SBC Long Distance, LLC
1402	Script Inc.
1315	Secured Retail Networks, Inc.
1364	SecureNetMD LLC
6888	Securus Technologies, LLC
1361	Select Communications, LLC
4469	Selectel Inc.
1692	Sequire LLC
1644	ServiceTitan, Inc.
1750	Shammam Consulting Services, Inc.
1717	Sharpen Technologies, Inc.
7129	Shasta County Telecom, Inc.
1494	ShivaGenesis Networks, Inc a California S Corporation
1769	Shoutpoint, Inc.
1341	Sierra Nevada Communications LLC
1016	Sierra Telephone Company, Inc.
5657	Sierra Telephone Long Distance
1388	Silicon Business System
7046	Silv Communication, Inc
1432	SimpleVoIP, LLC
1613	SimpliFone, Inc.
1598	Simwood, Inc.
7376	Simwood, Inc.
1207	Single Digits, Inc.
1752	Single Point Global Incorporated
1427	SIP.US LLC
6504	Siskiyou Long Distance Company
1737	Skye Telecom LLC
1412	Skype Communications US Corporation
1264	Small Office Systems, Inc.
1125	Smart Choice Communications, LLC
7013	Smart Choice Communications, LLC
1599	Smart City Networks, Limited Partnership
1474	SMARTech Corporation
1774	SmartTel Inc.
1502	smplsolutions
7172	Snowcrest Telephone, Inc.

1742	SoCal Computer Guys, LLC
4517	Social Communications LLC
7002	Sonic Telecom, LLC
1312	South Valley Internet Inc.
6096	Southern California Edison
7055	Southern California Telephone Company
1182	SouthPoint Communications, LLC
1678	Southwest Telephone Company
4505	Spectrotel of California LLC
6927	Spectrotel of California LLC
1158	Spectrum Advanced Services, LLC
4522	Spectrum Mobile, LLC
7187	Splice Communications, Inc.
2160	Spok, Inc.
5112	Sprint Communications Company, LP
3062	Sprint Spectrum L.P.
7335	SQF, LLC
1796	SR Technologies, Inc.
1220	Star2Star Communications, LLC
1679	StarTechTel.com, Inc.
1746	Stellar Private Cable Systems, Inc.
1438	Stream Communications, LLC
4531	STX Group LLC
1320	Succeed.net
1680	Sun Communications, Inc
7339	Sun Microwave, Inc.
7078	Super Prepaid Inc.
7265	Surfnet Communications, Inc.
1785	Swell Broadband, Inc.
1513	Syndeo, LLC
7334	Synergem Technologies, Inc
3056	T-Mobile West LLC
1380	T4 Telecom
1643	Tadiran Telecom, Inc.
4411	Tag Mobile, LLC
7284	Tahnay Telecommunications
1459	Tailwind Voice and Data, Inc.
5535	Talk America, LLC
1743	TampaBay DSL Inc.

6875	TC Telephone, LLC
4410	TC Telephone, LLC.
1606	TCE Company, Inc.
6773	TCO Network, Inc.
1759	TCSI, Inc.
6384	TDS Long Distance Corporation
1284	TDS Metrocom, LLC
1730	Techmode Go, LLC
1524	Technology By Design, LLC
7317	Tekify Fiber, LLC
1537	Tekify, LLC
1511	Tekscape, Inc
7327	Tel-One Network Services, Inc.
1382	TelAgility Corp.
7270	Telco Connection
1735	Tele Express Business Systems Inc.
6916	Telecom Carrier Access, Inc.
1668	Telecom Evolutions, LLC
5675	Telecom House Incorporated
1492	Telecom LLC
6639	Telecom Management, Inc.
7083	Telecommunication Systems, Inc.
1723	Telelink Business Telephone Systems
1448	Telelink Services
1546	Telephone Diagnostic Services, Inc.
1779	Telephone Equipment Service Corp.
5454	Teleport Communications America, LLC
6665	Telespan Communications, LLC
1516	Telesupply, LLC
1685	Teletonix Communications, LLC
1727	Televergence Solutions, Inc.
1328	TeleVoIPs, LLC
1677	Telexent, Inc.
1560	Teliax, Inc.
4524	Tello Communications, LLC
1127	Telmate, LLC
1403	Telnet Worldwide Inc.
4442	Telrite Corporation
6780	Telrite Corporation

6355	Telstra Incorporated
7166	TELUS Communications (U.S.) Inc.
1582	Telzio, Inc
4459	Tempo Telecom, LLC
1765	Teo Communications, Inc.
1710	The Atteberry Group, Inc.
1259	The I.T. Workshop, LLC
1184	The Maynard Group, Inc.
1014	The Ponderosa Telephone Company
1017	The Siskiyou Telephone Company
1777	The Tech Consultants, LLC
1157	Thinking Phone Networks, LLC
1363	ThinkSecureNet, LLC
1634	ThinQ Technologies, Inc.
6800	Threshold Communications, Inc.
1143	Tierzero
1529	TieTechnology, LLC
6874	Time Warner Cable Information Services (Calif)
7290	Toly Digital Networks, Inc.
1718	Ton80 Communications, LLC
1224	Top Notch Networking, LLC
1684	Tophat Communications, LLC
7280	TouchTone Communications Inc
4231	Tracfone Wireless
1426	Transbeam, Inc.
1567	Transcom Telecommunications
1298	Transtelco, Inc.
7340	Triton Networks LLC
1510	Triton Networks, LLC
4380	TruConnect Communications, Inc.
4397	Truphone, Inc
1602	TTM communications, Inc.
1773	Turnkey Progressive Technology, Inc.
1745	Twilio International Inc.
1206	Two Cans and Some String, Inc.
1628	U.S. South Communications, Inc
5920	U.S. Telecom Long Distance, Inc.
4398	U.S. Telepacific Corp.
5721	U.S. Telepacific Corp.

1285	Ultimate Internet Access, Inc.
7269	Ultimate Internet Access, Inc.
1748	Unified Global Solutions, LLC
1626	Unified Office, Inc.
1749	Unitas Global LLC
1350	UniVoIP Inc.
7304	UniVoIP, Inc.
1490	UPNETWORX, Inc.
1392	USIPCommunications LLC
7328	USNIX Corporation
1124	UT&T LLC
5807	Utility Telecom Group, LLC
4441	UVNV, Inc
1699	UVoice USA, LLC
5220	Value-Added Communications, Inc.
7385	Varcomm Broadband, Inc.
1555	Varietel Communications, LLC
7122	Vaya Telecom, Inc.
1607	VB Cloud Communications LLC
1734	VDT, LLC
1653	Velocity Communications, Inc.
7372	Velocity Fiber, LLC
1257	Velocity The Greatest Phone Company Ever, Inc
7307	Velocity, A Managed Services Company, Inc.
1499	Veracity Networks, LLC
4439	Verizon California, Inc.
5732	Verizon Long Distance LLC
5494	Verizon Select Services, Inc.
7351	Vero Fiber Networks, LLC
1701	Versatel, LLC
4490	Vertex Telecom, Inc.
6786	Vertex Telecom, Inc.
1230	ViaSat, Inc.
1550	Vicomptel USA Inc.
1353	Vine Clouds Technologies
1612	Virtual Technologies Group, Inc.
4516	Visible Service LLC
1660	Vision CTS, LLC
1624	Vision Voice and Data Systems, LLC

1695	Vive Communications, LLC
1107	Vocal Ip Networx, Ltd.
1150	Vocalocity, Inc.
1115	Voda Networks, Inc.
1619	Vodafone US Inc.
4491	Vodafone US Inc.
7277	Vodafone US Inc.
1177	Vodex Communications Corporation
7252	Vodex Communications Corporation
1455	Voice Ring, Inc.
6952	Voicecom Telecommunications, LLC
1452	VoIP International LLC
1394	VoIP Tech LLC
1517	Voipia Networks, Inc.
1635	VoIPLy, LLC
1520	VOIPo LLC
1217	VoIPStreet Inc
1632	VoIPX International, Inc.
5814	Volcano Long Distance
1019	Volcano Telephone Company
1667	Volte Communications, Inc
1135	Vonage America Inc.
1428	Votacall, Inc.
1770	Voxology Carrier Services, Inc.
1514	VOXtell LLC
1787	Voxter Communications, Inc.
1387	Voyant Communications, LLC
1225	Voyzze Communications Inc.
1449	VTech Support, Inc.
1491	WAVE.BAND, LLC
1365	WaveNation LLC
1708	Weave Communications, Inc.
7278	Webpass Telecommunications, LLC
1716	White Label Communications, LLC
1444	WhiteSky Communications, LLC
5751	Wholesale Airtime, Inc.
6644	Wholesale Carrier Services, Inc.
7061	Wide Voice, LLC
1581	WiLine Networks, Inc

6146	Wiltel Communications, LLC
7220	WiMacTel, Inc.
1559	Windstream Communications, LLC
6985	Windstream Communications, LLC
6226	Windstream New Edge, LLC
7079	Windstream Norlight, LLC
7214	Windstream Nuvox, LLC
1496	WindyCitySDR
4515	Wing Tel Inc.
1021	Winterhaven Telephone Company
1629	WIRED Telcom, LLC
4308	Working Assets Funding Service, Inc.
5233	Working Assets Funding Service, Inc.
5519	Worldnet Communications Services, Inc.
7296	Worldvox
7178	Worldwide Marketing Solutions, Inc.
1477	WTI Communications, Inc.
6884	WTI Communications, Inc.
1538	WWT, Inc.
6645	X2 Comm, Inc.
1515	Xact Associates, LLC
1109	Xcast Labs, Inc.
1691	Xentric Solutions Inc.
5553	XO Communications Services
1385	Xobee Networks, Inc.
1347	Xtelesis Corporation
7207	XYN Communications of California, LLC
1574	Yardi Kube, Inc.
6989	Ymax Communications Corporation
4535	Yodole, LLC
1345	YTEL Inc.
1591	ZaiLab, Inc.
6102	Zayo Group, LLC
4489	Zefcom, LLC
1314	Zen Communications, LLC
1377	Zito West Holding, LLC
1335	Zray Technologies Corporation
4350	Ztar Mobile, Inc.
6651	Ztg, Inc.

1301 Zultys, Inc.

(END OF APPENDIX A)