ALJ/SMW/smt **Date of Issuance 5/24/2022**

Decision 22-05-023 May 19, 2022

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

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| Application of Wavelength Internet, LLC for a Certificate of Public Convenience and Necessity to Operate as a Competitive Local Carrier (“CLC”) in Order to Provide Resold and Full Facilities-Based Broadband Internet and Voice-Over-IP Service and Designation as an Eligible Telecommunications Carrier. | Application 21-01-009 |

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

This decision extends the statutory deadline in this proceeding to
December 7, 2022.

1. **Background**

Public Utilities Code (Pub. Util. Code) Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a ratesetting proceeding, within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending the deadline. The 18-month statutory deadline for resolving the instant application is June 7, 2021.

On January 7, 2021, Wavelength Internet, LLC (Wavelength) filed Application 21-01-009, requesting a Certificate of Public Convenience and Necessity (CPCN) to operate as a Competitive Local Carrier in order to provide resold and full-facilities broadband internet and voice-over-internet provider (VOIP) service and designation as an Eligible Telecommunications Carrier (ETC), in the service territories of AT&T California and Verizon California, Inc.

Wavelength proposes to offer broadband internet access and fixed VOIP service to residential, public sector and commercial locations in some of the most remote, difficult-to-serve regions of Southern California. Wavelength proposes to offer gigabit-speed Internet access service in areas that are currently underserved or unserved.

The Administrative Law Judge (ALJ) issued rulings requesting information on March 12 and 24, 2021, April 28, 2021, May 25, 2021 and

June 2, 2021. Wavelength responded on 1) March 24, 2021 to the March 12, 2021 ruling; 2) April 7, 14, and 23, 2021 to the March 24, 2021 ruling; 3) May 7, 2021 to the April 28, 2021 ruling; 4) May 27, 2021 to the May 25, 2021 ruling; and

5) June 11, 2021 to the June 2, 2021 ruling.

An extension of the statutory deadline to December 7, 2022, is necessary to allow the assigned ALJ and Commission staff time to complete the thorough due diligence and analysis required for a CPCN, as well as ETC status and to complete the proposed decision. Lastly, the Commission requires sufficient time thereafter to deliberate and to issue its final decision.

# Waiver of Comment Period

Under Rule 14.6(c)(4) 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 extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

# Assignment of Proceeding

John Reynolds is the assigned Commissioner. Susan Lee and

Seaneen M Wilson are the assigned ALJs in this proceeding.

Findings of Fact

1. The statutory deadline for resolving the issues identified in the Scoping Memorandum and Ruling is June 7, 2022.
2. An extension of the statutory deadline to December 7, 2022, is necessary

to allow the assigned ALJ adequate time to complete the Proposed Decision,

to permit the Communications Division adequate time to review the

Propose Decision and to allow the Commission sufficient time to deliberate and to issue its final decision addressing the application.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code Section 1701.5(a), the statutory deadline should be extended to

December 7, 2022.

**IT IS ORDERED** that the statutory deadline in this proceeding is extended until December 7, 2022.

This order is effective today.

Dated May 19, 2022, at Sacramento, California.

ALICE REYNOLDS

 President

CLIFFORD RECHTSCHAFFEN

GENEVIEVE SHIROMA

DARCIE L. HOUCK

JOHN R.D. REYNOLDS

 Commissioners