

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Communications Division  
Carrier Oversight and Program Branch

RESOLUTION T-17816  
June 20, 2024

RESOLUTION

**Resolution T-17816. This resolution seeks approval of advice letters setting forth a total of \$1,069,989 in fines for telephone service providers that failed to meet required service quality performance standards in the Year 2023 pursuant to General Order 133-D.**

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SUMMARY

This Resolution summarizes and approves the advice letters of Frontier California (Frontier CA), Citizens Telecommunications (Frontier Citizens), Frontier Communications of the Southwest (Frontier SW), Consolidated Communications, Ducor Telephone, Happy Valley Telephone, and Hornitos Telephone<sup>1</sup> on their proposed General Order (GO) 133-D fines calculations totaling **\$1,069,989**. The fines are a consequence of substandard service quality performance in the year 2023, pursuant to the California Public Utilities Commission's (Commission's) General Order (GO) 133-D. The carriers calculated their fines by applying the prescribed method for each month they failed to meet specific minimum standards for the *Installation Interval* under Section 3.1, *Installation Commitment* under Section 3.2, *Out of Service Repair Interval* under Section 3.4, and *Answer Time* under Section 3.5. Submission of these fines for the year 2023 complies with the directions specified in Section 9.6<sup>2</sup> of GO 133-D.

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<sup>1</sup> Frontier California (U-1002-C) AL # 12927, Frontier Citizens Telecommunications (U-1024-C) AL # 1341, Frontier Communications of the Southwest (U-1026-C) AL # 196, Consolidated Communications (U-1015-C) AL # 2097A, Ducor Telephone (U-1007-C) AL # 415, Happy Valley Telephone (U-1010-C) AL # 408, and Hornitos Telephone (U-1011-C) AL # 375.

<sup>2</sup> Advice Letter Tabulating Fine. The performance of any telephone corporation subject to GO 133-D that does not meet the minimum standards shall submit annually, by February 15 of the following year, a Tier II Advice Letter that shows by month each Service Quality measurement that it did not meet the minimum standards and the applicable fine.

**BACKGROUND OF THE GENERAL ORDER**

Since 1972, the Commission has ordered public utility telephone corporations to provide service that meets minimum service quality standards set forth in the General Order 133 series.<sup>3</sup> General Order 133-C<sup>4</sup> established a minimum set of service quality standards and reporting requirements for the installation, maintenance, and operator services for local exchange telephone service in California.

In March 2011, Staff issued a report detailing substandard levels of service quality reported by carriers for 2010. In response, the Commission opened Rulemaking (R.)11-12-001 to review carriers’ performance, to assess the relevancy and effectiveness of the GO 133-C measures, and to determine the need for penalties for substandard performance.

On August 29, 2016, the Commission issued Decision (D.) 16-08-021, which adopted the current General Order (GO) 133-D.<sup>5</sup> While maintaining the service quality standards, GO 133-D expanded GO 133-C’s provisions and established annual fines that apply to carriers who fail to meet any of the service quality standards for three consecutive months.<sup>6</sup>

**GENERAL ORDER 133-D SERVICE QUALITY REPORTING STANDARDS**

GO 133-D stipulates that public utility telephone corporations must meet the minimum reporting standards for the five telephone service quality measures. The five measures are as follows:

<b><u>Service Measure</u></b>	<b><u>Type of Service</u></b>
Installation Interval	Installation
Installation Commitments	Installation
Customer Trouble Reports	Maintenance
Out of Service (OOS) Repair Interval	Maintenance
Answer Time	Operator Services

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<sup>3</sup> See Pub. Util. Code § 2896 (“The [C]ommission shall require telephone corporations to provide customer service to telecommunication customers that includes, but is not limited to, ... (c) Reasonable statewide service quality standards, including but not limited to, standards regarding network technical quality, customer service, installation, repair, and billing. ...”); see also GO 133-D, § 1.1(a).

<sup>4</sup> The Commission approved GO 133-C in Decision (D).09-07-019 (July 9, 2009).

<sup>5</sup> D.16-10-019 corrects minor errors in the original version of GO 133-D.

<sup>6</sup> GO 133-D, § 9.1.

Each measure has an assigned Minimum Standard Reporting Level. GO 133-D requires telephone corporations to report, on a quarterly basis, their monthly performance results for each of the five service quality metrics<sup>7</sup> using a standardized form developed by Commission staff (known as a “Service Quality Standards Report Card”).<sup>8</sup> These quarterly reports are published on the Commission’s website.<sup>9</sup> When a carrier’s performance falls below any of the minimum standards, the carrier is deemed to be out of compliance and must report this information to the Commission.

### **GENERAL ORDER 133-D FINES**

GO 133-D was adopted in August 2016, GO 133-D Section 9 (Fines), and became effective on January 1, 2017. Section 9 sets forth the service quality fines, which apply only to carriers of traditional voice telephone service.<sup>10</sup> A carrier’s performance, size, and duration of noncompliance are factors in calculating the GO 133-D fine amount. A carrier will begin incurring a fine for these service quality measures when it reaches “chronic failure status,” which means a failure to meet the minimum standard for three consecutive months. No fines will be assessed for missing the first two months.<sup>11</sup> A carrier in chronic failure status will be fined a specific amount, as detailed in Sections 9.3 to 9.5, for each day that it failed to meet the minimum monthly standard. Fines are assessed on an annual basis, but “chronic failure status” does not reset at the end of a calendar year but is based on a carrier’s continuous service quality performance from one year to the next.<sup>12</sup> A carrier will exit “chronic failure status” after it meets the standard(s) for two consecutive months.

Section 9.6, Advice Letter Tabulating Fine, requires a telephone corporation that fails to meet the minimum standards to calculate and report the applicable fine imposed by GO 133-D on an annual basis, stating:

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<sup>7</sup> See §§ 3.1(e), 3.2(e), 3.3(e), 3.4(e), and 3.5(e) in both GO 133-C and GO 133-D.

<sup>8</sup> See GO 133-C, Rule 8 (“8. FORM The attached form is a template for reporting GO 133-C Service Quality Standards. The staff may change this form as necessary.”; see also GO 133-D, Rule 10 (“10. FORM The attached form is a template for reporting GO 133-D Service Quality Standards. The staff may change this form as necessary. Additional information can be found on the Commission’s website.”) The form can be found at [G.O. 133-D service quality standards reporting template](#).

<sup>9</sup> See [Telecommunications Carriers' Service Quality Reports](#). The Commission’s Communications Division posts on its webpage all reporting carriers’ Quarterly Service Quality Reports (*i.e.*, service quality report cards) from 2016 to present.

<sup>10</sup> GO 133-D defines time division multiplexing (TDM)-based voice service as “traditional telephone service.”

<sup>11</sup> GO 133-D, § 9.1.

<sup>12</sup> *Ibid.*

The performance of any telephone corporation that does not meet the minimum standards shall submit annually, by February 15 of the following year, a Tier II Advice Letter that shows by month each Service Quality measurement that it did not meet the minimum standards and the applicable fine.

The advice letter shall contain detailed calculations with explanations of how each fine was calculated...The Communications Division (CD) will prepare a resolution for the Commission annually, and if the resolution is adopted, then fines shall be payable to the California Public Utilities Commission for deposit to the California General Fund.<sup>13</sup>

**ADVICE LETTERS**

The table below lists the advice letters received for 2023 GO 133-D service quality fines. The Commission received protests from The Utility Reform Network (TURN) against Frontier California (AL 12927), Citizens Telecommunications (AL 1341) and Frontier Communications of the Southwest (AL 196).

TURN objects to Frontier and its subsidiaries advice letters on the grounds that paying the service quality fines would yield an unjust result because the fines alone would not resolve the service quality issues experiences by customers. While TURN’s protest may be valid, carriers must nevertheless submit advice letters calculating annual fines for service quality violations and pay the fines after the resolution is adopted under General Order GO 133-D.

Advice Letter No.	Filed By	Utility No.	Date Filed	Proposed Fine
12927	Frontier CA	U-1002-C	2/15/2024	\$956,961
1341	Frontier Citizens	U-1024-C	2/15/2024	\$102,208
196	Frontier SW	U-1026-C	2/15/2024	\$2,131

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<sup>13</sup> GO 133-D, § 9.6. Section 9.6 became effective January 1, 2017

2097A	Consolidated	U-1015-C	3/6/2024	\$2,337
415	Ducor	U-1007-C	3/8/2024	\$600
408	Happy Valley	U-1010-C	2/7/2024	\$5,250
375	Hornitos	U-1011-C	2/7/2024	\$500
<b>TOTAL PROPOSED FINES</b>				<b>\$1,069,989</b>

**DISCUSSION**

**1. Scaling Factor**

General Order 133-D assigns fine amounts using base values specified in Sections 9.3 to 9.5, adjusted through a formula expressing the relative size of the carrier within the California market.<sup>14</sup>

The scaling factor formula is expressed below, with results shown in the table:

$$\begin{aligned}
 &(\text{Carrier's Access Lines} / \text{Total CA Access Lines}) = \text{Carrier's Scaling Factor} \\
 &(\text{Carrier's Scaling Factor}) \times (\text{Monthly Base Fine per Measure}) \times (\text{Number of} \\
 &\text{Months in Chronic Failure}) = \text{Fine}
 \end{aligned}$$

<b>2023 Working Access Lines and Scaling Factor for Carriers Paying Fines Under G.O. 133-D</b>		
<b>Carrier</b>	<b>2023 Access Lines</b>	<b>Scaling Factor</b>
Frontier CA	338,980	10.58%
Frontier Citizens	36,361	1.13%

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<sup>14</sup> Annually, the Communications Division prepares a list of the total number of working telephone access lines in California from carriers subject to GO 133-D requirements. Based on carrier size relative to the number of access lines it serves at the end of June in the reporting year, a carrier receives its unique Scaling Factor, the percentage of its customers relative to all California telephone customers. The table of carriers, working lines, and the percentage of working lines served by each carrier appears as a PDF document titled *Total Number of Access Lines in California for June 2021 from Carriers Reporting Under GO 133-D* found under Reference Information at: [june-30-2021-go-133-d-carrier-line-counts.pdf](https://www.cpuc.ca.gov/~/media/CPUC/Reference-Information/2021-06-30-go-133-d-carrier-line-counts.pdf)

Frontier Southwest	2,285	0.07%
Consolidated	12,111	0.38%
Ducor	666	0.02%
Happy Valley	1,592	0.05%
Hornitos	283	0.01%

**2. Fines for the GO 133-D Standards**

***A. Out of Service Repair Interval***

The *Out of Service Repair Interval*, defined in § 3.4, measures the average interval between the time a carrier responds to out of service trouble reports and the restoration of the customer’s service. A carrier measures its average interval by dividing the number of out of service repair tickets restored within 24 hours by the number of reports received. The Minimum Standard Reporting Level for the *Out of Service Repair Interval* is 90% of outages restored within 24 hours or less.

The fine structure for this standard is calculated using the following criteria.

<b>Base <i>Out of Service Repair Interval</i> Fine, GO 133-D, Section 9.3</b>		
	1 or 2 Consecutive Months of Standard Not Met	3 or more Consecutive Months of Standard Not Met
Fine Per Day	\$0 per day	\$25,000 per day
Days in a Month (for all months)	30 days	30 days
Base Fine per Month	\$0	\$750,000 per month

Frontier CA, Frontier Citizens Telecommunications, Frontier Communications of the Southwest, Ducor Telephone, Happy Valley Telephone, and Hornitos Telephone failed to meet the *Out of Service Repair Interval* standard for the following months in 2023<sup>15</sup>.

	2023 <i>Out of Service Repair Interval – 90% Minimum</i> (*chronic failure status)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Frontier CA</b>	45.5%*	41.9%*	56%*	52.5%*	60.5%*	66.4%*	70.4%*	72.5%*	72.4%*	70.4%*	72.5%*	72.4%*
<b>Frontier Citizens</b>	65.5%*	28.7%*	33.2%*	34.7%*	49.2%*	41.8%*	48.1%*	60.5%*	58.8%*	48.1%*	60.5%*	58.8%*
<b>Frontier SW</b>	90.9%	69.2%	93.3%	100.0%	100.0%	92.3%	55.6%	65.5%	72.9%*	55.6%*	65.5%*	72.9%*
<b>Ducor</b>	83.0%	50.0%*	67.0%*	86.0%*	33.0%*	100.0%	100.0%	50.0%	100.0%	75.0%	100.0%	0.0%
<b>Happy Valley</b>	85.2%*	90.9%	88.2%*	85.7%*	91.7%	92.3%	87.1%	100.0%	89.5%	83.3%	87.5%*	94.7%
<b>Hornitos</b>	100.0%	89.0%	67.0%	100.0%	67.0%	100.0%	100.0%	78.0%	70.0%	57.0%*	100.0%	100.0%

Frontier CA’s Out of Service repair rate was below 90% for all of 2023. Frontier CA’s “chronic failure status” continued from December 2022 into January 2023 and remained below 90% for all twelve months in 2023. Frontier CA incurred fines for the months of January through December. Frontier CA’s OOS proposed fine calculation in AL 12927 is accurate and was calculated as follows:

$$(\text{Frontier CA Scaling Factor } 0.1058 \times (\text{Monthly Base Fine } \$750,000) \times (\text{Number of Months in Chronic Failure } 12) = \$952,200$$

Frontier Citizens Telecommunications’ Out of Service repair rate was below 90% in each month of 2023. Frontier Citizens’ “chronic failure status” continued from December 2022 into January 2023 and remained below 90% for all twelve months in 2023. Frontier Citizens incurred fines for all twelve months in 2023. Citizens’ OOS proposed fine calculation in AL 1341 is accurate and was calculated as follows:

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<sup>15</sup> Months that fell below the minimum standard show the percentage in red, and months that incurred a fine are marked with an asterisk.

(Frontier Citizens Scaling Factor 0.0113 X (Monthly Base Fine \$750,000) X (Number of Months in Chronic Failure 12) = **\$101,700**

Frontier Southwest's Out of Service repair rate was below 90% during February, and from July through December 2023. Frontier Citizens entered 'chronic failure status' in September and incurred fines for the months of September through December 2023. Frontier SW's OOS proposed fine calculation in AL 196 is accurate and was calculated as follows:

(Frontier SW Scaling Factor 0.0007 X (Monthly Base Fine \$750,000) X (Number of Months in Chronic Failure 4) = **\$2,100**

Ducor was in "chronic failure status" from February through May 2023. Ducor's OOS rate was below 90% for eight months in 2023 and incurred fines for the four months in "chronic failure status". Ducor's proposed OOS fine calculation in AL 415 is accurate and was calculated as follows:

(Ducor Scaling Factor 0.0002) X (Monthly Base Fine \$750,000) X (Number of Months in Chronic Failure 4) = **\$600**

Happy Valley's entered "chronic failure status" in January 2023 and was removed from "chronic failure status" after two consecutive months above 90% in May and June. However, Happy Valley entered "chronic failure status" once again in November 2023 after falling below 90% in September and October 2023. Happy Valley incurred fines for a total of four months in 2023: January, March, April, and November. Happy Valley's proposed OOS fine calculation in AL 408 is accurate and was calculated as follows:

(Happy Valley Scaling Factor 0.0005) X (Monthly Base Fine \$750,000) X (Number of Months in Chronic Failure 4) = **\$1,500**

Hornitos was out of compliance with the OOS metric for six months in 2023 and was in "chronic failure status" and fined for one month in October 2023. Hornitos' proposed OOS fine calculation in AL 375 is accurate and was calculated as follows:

(Hornitos Scaling Factor 0.0001) X (Monthly Base Fine \$750,000) X (Number of Months in Chronic Failure 1) = \$75 (**\$500 minimum fine**)

The minimum GO 133-D fine per carrier is \$500, therefore Hornitos will be assessed a fine of \$500 for not meeting the OOS standard in October 2023.<sup>16</sup>

**B. Customer Trouble Reports**

The *Customer Trouble Reports* standard, defined in Section 3.3, measures the number of reports a carrier receives from its customers regarding their dissatisfaction with telephone company services. The Minimum Standard Reporting Level for the *Customer Trouble Reports* measurement varies based on the number of working lines per reporting unit. All carriers in this resolution met the *Customer Trouble Reports* standard during 2023.

**C. Answer Time for Trouble Reports and Billing and Non-Billing Inquiries**

The *Answer Time* standard, defined in § 3.5, measures the amount of time it takes for an operator to answer the phone when customers call a business office for billing and non-billing inquiries or a repair office for trouble reports. The value is calculated as an average answer time of a sample of the answering interval of calls to business and repair offices that is representative of the reported period.

The Minimum Standard Reporting Level for *Answer Time* is 80% of calls answered by an operator within 60 seconds when speaking to a live agent, or 80% of calls answered within 60 seconds when speaking to a live agent after completing an interactive voice response or automatic response unit system.

Frontier CA, Frontier Citizens, Frontier SW, and Consolidated were assessed fines for the Answer Time metric in 2023.

	<b>2023 Answer Time – 80% Minimum</b> <i>(*chronic failure status)</i>
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<sup>16</sup> GO 133-D, § 9.6. The minimum annual fine shall be no lower than the registration fee for a CPCN. The CPCN registration fee is \$500 per P.U. Code §1001.

	2023 Answer Time – 80% Minimum (*chronic failure status)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Frontier CA</b>	63.7%	72.7%	67.3%*	65%*	72.1%*	86.9%	86.9%	92.9%	83.9%	84.2%	74.7%	74.3%
<b>Frontier Citizens</b>	63.7%	72.7%	67.3%*	65%*	72.1%*	86.9%	86.9%	92.9%	83.9%	84.2%	74.7%	74.3%
<b>Frontier SW</b>	63.7%	72.7%	67.3%*	65%*	72.1%*	86.9%	86.9%	92.9%	83.9%	84.2%	74.7%	74.3%
<b>Consolidated</b>	60.8%*	72.1%*	61.7%*	73.4%*	76.4%*	68.8%*	39.5%*	48.5%*	47.6%*	68.8%*	77%*	73.3%*

Frontier CA, Citizens, and Frontier SW fell below the 80% minimum standard for Answer Time for seven months in 2023 and entered “chronic failure status” in March 2023. Fines were assessed for the months of March, April, and May 2023. The proposed fines in Frontier’s advice letters 12927, 1341, and 196 are accurate and shown below.

*Frontier California:*

$$(\text{Frontier CA Scaling Factor } 0.1058) \times (3\text{-}5 \text{ months Base Fine } \$15,000) \times (\text{Number of Months in Chronic Failure } 3) = \$4,761$$

*Frontier Citizens Telecommunications:*

$$(\text{Frontier Citizens Scaling Factor } 0.0113) \times (3\text{-}5 \text{ months Base Fine } \$15,000) \times (\text{Number of Months in Chronic Failure } 3) = \$509$$

*Frontier Communications of the Southwest:*

$$(\text{Frontier SW Scaling Factor } 0.0007) \times (3\text{-}5 \text{ months Base Fine } \$15,000) \times (\text{Number of Months in Chronic Failure } 3) = \$32$$

Consolidated was in its seventh month of “chronic failure status” in January 2023 and remained below 80% for Answer Time for each month in 2023. The Answer Time monthly fine increases incrementally based on the number of months the carrier is not in

compliance with the Answer Time metric.<sup>17</sup> Consolidated' s proposed Answer Time fine calculation in AL 2097A is accurate and was calculated as follows:

*Consolidated:*

(Consolidated Scaling Factor 0.0038) X (6-8) months Base Fine \$30,000) X (Number of Months in Chronic Failure 2) = \$228

(Consolidated Scaling Factor 0.0038) X (9-11) months Base Fine \$45,000) X (Number of Months in Chronic Failure 3) = \$513

(Consolidated Scaling Factor 0.0038) X (12 or more) months Base Fine \$60,000) X (Number of Months in Chronic Failure 7) = \$1,596

Answer Time fine: \$228 + \$513 + \$1,596 = **\$2,337**

#### D. Installation Interval

The standard for *Installation Interval*, defined in § 3.1, describes the amount of time to install basic telephone service from the time a customer requests service until it is established. It measures the average number of business days between when a service order was placed and when the service became operational, divided by the total number of service orders a carrier received during a reporting period. The standard is five or fewer business days and it applies only to GRC ILECs.

Happy Valley began 2023 in “chronic failure status” for the Installation Interval service quality metric.<sup>18</sup>

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<sup>17</sup> GO 133-D, § 9.5. The initial base fine is \$500 per day (1 to 3 months), which will escalate to the highest daily fine of \$2,000 per day (12 months or longer).

<sup>18</sup> Happy Valley was in “chronic failure status” in December 2022. Happy Valley met the standard in January 2023, but a carrier must meet the standard for two consecutive months to exit “chronic failure status” per GO 133-D, § 9.1

	2023 <i>Installation Interval – 5 or fewer Business Days</i> (*chronic failure status)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Happy Valley	2.8	9.0*	8.4*	5.5*	18.2*	7.5*	7.8*	5.9*	1.0	10.8*	5.3*	4.5

Happy Valley met the standard in January 2023, but again did not meet the Answer Time standard in February<sup>19</sup> and remained in “chronic failure status” for the remainder of the year and accrued fines for a total of nine months in 2023. Happy Valley’s fine calculations in AL 408 are accurate and was calculated as follows:

$$(\text{Happy Valley Scaling Factor } 0.0005) \times (\text{Monthly Base Fine } \$750,000) \times (\text{Number of Months in Chronic Failure } 9) = \$3,375$$

**E. Installation Commitments**

The standard for *Installation Commitments*, defined in § 3.2, describes a carrier’s ability to meet their commitments to fulfill customers’ requests to establish basic telephone service. It measures the monthly count of commitments and the number of commitments missed. The standard applies only to GRC ILECs. The Minimum Standard Reporting Level for *Installation Commitments* is 95% of commitments met.

	2023 <i>Installation Commitment– 95% Minimum</i> (*chronic failure status)											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Happy Valley	100%	67%	100%	100%	100%	83%	80%	100%	100%	82%	67%	75%*

<sup>19</sup> GO 133-D, § 9.1. A carrier exits chronic failure status after it meets the standard for two consecutive months.

Happy Valley failed to meet the minimum standard for six months of 2023, and was in “chronic failure status” and fined for one month.<sup>20</sup> Happy Valley’s proposed fines in AL 408 are accurate and calculated below:

$$(Happy\ Valley\ Scaling\ Factor\ 0.0005) \times (Monthly\ Base\ Fine\ \$750,000) \times (Number\ of\ Months\ in\ Chronic\ Failure\ 1) = \$375$$

**3. Total Fine Amount per Carrier**

Based on the scaling factors and the number of months the two carriers failed to meet the minimum service quality standards, the total fines for these carriers’ service quality performance in the Year 2023 are as follows:

Service Quality Standard	Frontier CA	Frontier Citizens	Frontier SW	Consolidated	Ducor	Happy Valley	Hornitos
Out of Service Repair Interval	\$952,200	\$101,700	\$2,100	\$0	\$600	\$1,500	\$500
Answer Time	\$4,761	\$509	\$32	\$2,337	\$0	\$0	\$0
Installation Interval	\$0	\$0	\$0	\$0	\$0	\$3,375	\$0
Installation Commitment	\$0	\$0	\$0	\$0	\$0	\$375	\$0
<b>Total</b>	<b>\$956,961</b>	<b>\$102,209</b>	<b>\$2,132</b>	<b>\$2,337</b>	<b>\$600</b>	<b>\$5,250</b>	<b>\$500</b>

Within 30 days of this Resolution’s adoption date, fines must be paid by a check or money order payable to the California Public Utilities Commission, and mailed or delivered to:

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<sup>20</sup> A carrier exits chronic failure status after it meets the standard for two consecutive months. A carrier must fail to meet the standard for three consecutive months to be fined. No fines will be assessed for missing the first two months (G.O. 133-D, Section 9.1).

California Public Utilities Commission  
Fiscal Office  
505 Van Ness Avenue, Room 3000  
San Francisco, CA 94102

Carriers should write on the face of the check or money order:

“For deposit to the State of California General Fund, per Resolution T-17816.”

### **SAFETY CONSIDERATIONS**

Failure to meet GO 133-D service quality standards limits customers’ ability to call 9-1-1 and other emergency services and restricts public safety personnel from communicating with each other during emergencies or disasters.

### **CONCLUSIONS**

Staff recommends Commission approval of the advice letters and estimated fines filed by Frontier California, Citizens Telecommunications, Frontier Communications of the Southwest, Consolidated Communications, Ducor Telephone, Happy Valley Telephone, and Hornitos Telephone for not meeting General Order 133-D minimum service quality standards and reporting requirements for the Year 2023. The total amount of GO 133-D fines for the year 2023 is **\$1,069,989.00**.

### **COMMENTS**

In compliance with Public Utility Code § 311(g), the Commission emailed a letter on May 10, 2024, notifying all parties on the general service list of the availability of this Resolution for public comments at the Commission’s website [cpuc.ca.gov](http://cpuc.ca.gov) . This letter also informed parties that the final conformed resolution adopted by the Commission will be posted and available on this same website.

The Commission received May 30, 2024 public comments on this Resolution.

### **FINDINGS**

1. General Order 133-D, Section 9.6 directs any telephone corporation whose performance does not meet the minimum standards to submit annually by February 15 of the following

year a Tier II Advice Letter showing each month's service quality measurement that it did not meet the minimum standards and the applicable fine.

2. Frontier California (U-1002-C) filed Advice Letter 12927 on February 15, 2024, with proposed fines totaling \$956,961 for not meeting the *Out of Service Repair Interval* and *Answer Time* service quality minimum standards in 2023.

3. Frontier Citizens Telecom (U-1024-C) filed Advice Letter 1341 on February 15, 2024, with proposed fines totaling \$102,209 for falling below the *Out of Service Repair Interval* and *Answer Time* minimum standards in 2023.

4. Frontier Communications of the Southwest (U-1026-C) filed Advice Letter 196 on February 15, 2024, with proposed fines totaling \$2,132 for falling below *Out of Service Repair Interval* and *Answer Time* minimum standards in 2023.

5. Consolidated Communications (U-1015-C) filed advice letter 2097A on March 6, 2024, with proposed fines totaling \$2,337 for not meeting the *Answer Time* minimum standards in 2023.

6. Ducor Telephone (U-1007-C) filed advice letter 415 on March 8, 2024, with proposed fines totaling \$600 for not meeting the *Out of Service Repair Interval* minimum standards in 2023.

7. Happy Valley Telephone (U-1010-C) filed advice letter 408 on February 7, 2024, with proposed fines totaling \$5,250 for falling below the *Out of Service Repair Interval*, *Installation Interval*, and *Installation Commitment* minimum standards in 2023.

8. Hornitos Telephone (U-1011-C) filed an advice letter 292A on March 24, 2023, with proposed fines totaling \$500 for falling below the *Out of Service Repair Interval* minimum standards in 2023.

9. Staff reviewed the carriers' advice letters and accepted their respective proposed fine calculations based on the methodology defined in General Order 133-D, Section 9.

10. The carriers should remit their fines to the Commission within 30 days of this Resolution's adoption date. The Commission will deposit the fine payment into the California General Fund.

11. On May 10, 2024, the Commission emailed a draft of this Resolution to all parties in the general service list for public comments. The Commission received May 30, 2024, public comments.

**THEREFORE, IT IS ORDERED THAT:**

1. The California Public Utilities Commission approves the Advice Letters from Frontier California (U-1002-C), Frontier Citizens Communications (U-1024-C), Frontier Communications of the Southwest (U-1026 -C), Consolidated Communications (U-1015-C), Ducor Telephone (U-1007-C), Happy Valley Telephone (U-1010-C), and Hornitos Telephone (U-1011-C) which calculate their respective service quality fines under General Order 133-D for the Year 2023. The carriers are required to pay fines as set forth in this Resolution.
2. The carriers shall pay their assessed fines to the California Public Utilities Commission as specified in their advice letters within 30 days of this Resolution's adoption date. The California Public Utilities Commission shall deposit the fine payments into the California General Fund.
3. Fines shall be paid within 30 days from the effective date of this Resolution by a check or money order payable to the California Public Utilities Commission, and mailed or delivered to:

California Public Utilities Commission  
Fiscal Office  
505 Van Ness Avenue, Room 3000  
San Francisco, CA 94102

The telephone corporation should write on the face of the check or money order:  
**"For deposit to the State of California General Fund, per Resolution T-17816."**

<b>Advice Letter No.</b>	<b>Filed By</b>	<b>Utility No.</b>	<b>Date Filed</b>	<b>Proposed Fine</b>
12927	Frontier California	U-1002-C	2/15/24	\$956,961
1341	Frontier Citizen	U-1024-C	2/15/24	\$102,209
181	Frontier Southwest	U-1026-C	3/15/24	\$2,132
2097A	Consolidated	U-1015-C	3/6/24	\$2,337
415	Ducor	U-1007-C	3/8/24	\$600
408	Happy Valley	U-1010-C	2/7/24	\$5,250
3756	Hornitos	U-1011-C	2/7/24	\$500
<b>TOTAL PROPOSED FINES</b>				<b>\$ 1,069,989</b>

Resolution T-17768  
CD/GR1

This Resolution is effective today.

I certify that the foregoing Resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on June 20, 2024, the following Commissioners voting favorable thereon:

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Rachel Peterson  
Executive Director