General Order 133-E~~D~~

Public Utilities Commission of the State of California Rules Governing Telecommunications Services

The following is a list of decisions which authorized changes to General Order 133.

General Order 133	Decision No. 80082 (C.9535)	Adopted May 11, 1972 Effective 20 days later
General Order 133-B	Decision No. 92-05-056 (A.91-07-41)	Adopted May 20, 1992 Effective 30 days later
General Order 133-C	Decision No. 09-07-019 (R.02-12-004)	Adopted July 9, 2009 Effective July 9, 2009
General Order 133-D	Decision No. 16-08-021 (R.11-12-001)	Adopted Aug. 18, 2016 Effective Aug. 18, 2016 Except Section 9 on fines, which is effective Jan. 1, 2017
General Order 133-D Corrected Version	Decision No. 16-10-019 (R.11-12-001)	Adopted Oct. 12, 2016 Effective Oct. 12, 2016 ~~Corrections issued~~

1. GENERAL

1.1 Intent

a. Purpose. The purpose of these rules is to establish uniform minimum standards of service for ~~to be observed in~~ the operation of public utility telephone corporations.

b. Limits of Order. These rules do not cover the subjects outlined in the filed tariff rules of telephone utilities.

c. Absence of Civil Liability. The establishment of these rules shall not impose upon utilities, and they shall not be subject to, any civil liability for damages, which liability would not exist at law if these rules had not been adopted.

d. These rules may be revised in scope on the basis of experience gained in their application and as changes in technology, the telecommunications market, or technology may require.

1.2 Applicability

These rules are applicable to all public utility telephone corporations providing service within the State of California, except as otherwise noted.

1.3 Definitions

a. Access Line: A wire or wireless connection that provides a real time two way voice telecommunications service or Voice over Internet Protocol (VoIP) service to or from any device used by an end user. This applies to any technology associated with a 10-digit NPA-NXX number or other unique identifier, along with a service address or Place of Primary Use in California pursuant to Decision 22-10-021.

b. Areas of Affordability Concerns (AAC): The California Public Utilities Commission (Commission) adopted this geographical designation in Decision 22-08-023. The AACs, presented at the census tract level, are areas where the Affordability Ratio (AR) metric for representative low-income households is disproportionately higher than the rest of the state. A census tract with a higher AR indicates that it is less affordable for households in that area to pay for essential utility services. The AACs can be imputed for a specific essential utility service. The Commission periodically updates AACs to reflect new demographic information and changes in costs for these services.

c. CalEnviroScreen: A mapping tool developed by the California Office of Environmental Health Hazard Assessment (OEHHA). The tool uses environmental, health, and socioeconomic data to generate scores for every census tract in California. The scores allow for easy comparison among different census tracts. A census tract with a high score indicates it faces a much higher pollution burden compared to those with lower scores. The OEHHA updates the tool periodically to incorporate the latest demographic information. The OEHHA released its latest version, CalEnviroScreen 4.0, in October 2021.

d. Census Tracts: Per the United States Census Bureau, census tracts are defined as small, relatively permanent geographic entities within counties (or their statistical equivalents) delineated by a committee of local data users. Generally, census tracts have between 2,500 and 8,000 residents and their boundaries usually follow visible features.

~~e. Business Office – A centralized service group which receives small business and/or residential customer requests for new installations or changes in existing service. This also includes billing center inquiries.~~

~~f. Central Office Entity – A group of lines using common-originating equipment or under stored program control.~~

g. CLEC: A Competitive Local Exchange Carrier (CLEC), per Pub.Util. Code

§§ 234~~, §~~ and 1001, and Decision 95-07-054, provides local telephone services in ~~the service territories formerly~~ areas that were previously ~~reserved~~ designated for Incumbent Local Exchange Carriers (ILECs), in competition with ILECs, and must obtain a Certificate of Public Convenience and Necessity (CPCN) from the Commission.

~~h.~~ COLR: A Carrier of Last Resort (COLR) is required to serve upon request all customers within its designated service areas pursuant to Decision 96-10-066 and other relevant mandates. ~~Pursuant to Decision 96-10-066, a carrier seeking to be a COLR needs to file a notice of intent (NOI) with the Commission in order to have access to high cost fund subsidies. Once designated a COLR, the carrier must get the Commission's approval to opt out of its obligation to serve.~~

i. Community Isolation Outage: Pursuant to California Code of Regulations, Title 19. Public Safety, Division 2. California Governor's Office of Emergency Services, Chapter 1.5 Community Isolation Outages, § 2480.2. Community Isolation Outage Reporting Thresholds, a community isolation outage refers to a situation where a telecommunications service provider's end users are unable to make 911 calls or receive emergency notifications. The outage duration is measured in hours and minutes, starting from when the outage begins until service is restored.

~~j. Commission – In the interpretation of these rules, the word "'Commission" shall be construed to mean the Public Utilities Commission of the State of California.~~

~~k. Commitment – The date agreed to by a customer and a utility for the completion of requested work.~~

l. Customer:~~ –~~ A customer is a separate account number for voice service, or a bundle of communications services including voice, and includes small business (5 lines or less) and residential customers.

m. Disadvantaged Communities (DAC): Disadvantaged communities in California refer to areas that experience a combination of economic, health, and environmental burdens. These challenges include poverty, high unemployment rate, air and water pollution, the presence of hazardous wastes, as well as a high rate of asthma and heart disease. The state identifies these communities by collecting and analyzing data from communities throughout the state. The

Commission has adopted the updated geographical designation of DACs from the California Environmental Protection Agency's (Cal EPA) in Decision 22-08-023. This designation is assessed at the census tract level, and lands under the control of federally recognized tribes.

n. Environmental and Social Justice (ESJ) communities: They are predominantly composed of people of color or low-income individuals or families who are underrepresented in the policy-setting and decision-making process. They include (i) disadvantaged communities, as defined as census tracts that score in the top 25% of CalEnviroScreen, (ii) all tribal lands, (iii) low- income households, and (iv) low-income census tracts.

~~o. ETC: *Eligible Telecommunications Carrier* (ETC) - A telecommunications carrier that has been designated by the Commission, pursuant to 47 USC~~

~~§ 214 (e) (2) as eligible to receive federal lifeline and/or high cost Universal Service support. Designated ETCs must file annual recertification advice letters to continue to be eligible for federal high cost fund support.~~

p. Facilities-Based Carriers: A telephone corporation ~~or interconnected VoIP provider~~ that owns or controls facilities used to provide communications services for compensation, including the line to the end- user's location. A local exchange carrier providing service solely by resale of the ILEC's local exchange services is not a facilities-based carrier. ~~By Commission Decision (D.) 95-12-057, facilities-based carriers must file an environmental assessment report and undertake mitigation efforts addressing any adverse environmental impacts associated with their construction activities under their CPCN.~~

~~q.~~ GRC ILECs: A General Rate Case (GRC) Incumbent Local Exchange Carrier (~~GRC~~ ILECs) is a type of ILEC whose rates are regulated by the Commission per General Order 96-B. A GRC ILEC is designated a COLR in its franchise territories per D.96-10-066 and, ~~the decision where the Commission first spelled out what is meant by basic telephone service for purposes of Universal Service funding and updated by~~ D.14-01-036.~~, and is regulated through cost-of- service reviews by the Commission per General Order 96 B.~~

r. Installation: The process by which a service provider installs, configures, or programs a functional telephone line, as defined in Pub. Util. Code § 233, at a customer's residence or business and at the request of a customer, for the provision of voice, data, or other communications services. ~~– The provision of telephone service at the customer's request.~~

s. IEC: An Interexchange Carrier (IEC) is a wireline telephone company that provides interstate (long distance) communications services within the United States.

t. ILEC: ~~–~~An Incumbent Local Exchange Carrier (ILEC) is a certificated local telephone company that ~~such as Pacific Bell Telephone Company (now d/b/a~~

~~AT&T California) and Verizon California Inc., which~~ used to be the exclusive local telephone service provider in a franchise territory established before the Telecommunications Reform Act of 1996. See Pub.Util. Code §§ 234 and § 1001.

u. Interconnected VoIP Provider: Pursuant to Decision 24-11-003, an interconnected Voice over Internet Protocol (VoIP) provider is a company which provides service using Internet Protocol (IP) or a successor protocol to: (i) enable real-time, two-way voice communications; (ii) requires a broadband connection from the user's location; (iii) requires internet protocol compatible customer premises equipment; and (iv) permits users generally to receive calls that originate on the public switched telephone network (PSTN) and to terminate a call to the PTSN.

Fixed Interconnected VoIP Service Providers offer voice service tied to physical address associated with subscriber's primary place of use or registered location.

Nomadic-Only Interconnected VoIP Service Providers offer voice service not tied to physical address associated with subscriber's primary place of use or registered location.

~~- An interconnected VoIP provider is a company which provides a VoIP service that does all of the following:~~

~~(A) Uses Internet Protocol or a successor protocol to enable real-time, two- way voice communication that originates from, or terminates at, the user's location in Internet Protocol or a successor protocol.~~

~~(B) Requires a broadband connection from the user's location.~~

~~(C) Permits a user generally to receive a call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.~~

~~A service that uses ordinary customer premises equipment with no enhanced functionality that originates and terminates on the public switched telephone network, undergoes no net protocol conversion, and provides no enhanced functionality to end users due to the provider's use of Internet Protocol technology is not a VoIP service.~~

~~"Internet Protocol enabled service" or "IP enabled service" means any service, capability, functionality, or application using existing Internet Protocol, or any successor Internet Protocol, that enables an end user to send or receive a communication in existing Internet Protocol format, or any successor Internet Protocol format through a broadband connection, regardless of whether the communication is voice, data, or video. (PU Code § 239)~~

~~v. Line – An access line (hardwire and/or channel) which runs from the local~~

~~central office, or functional equivalent, to the subscriber's premises. A channel can be provided with or without wires.~~

w. Local Exchange – A telecommunications system providing service within a specified area within which communications are considered exchange messages except for those messages between toll points per D.96-10-066.

~~x. Minimum Standard Reporting Level – A specified service level of performance for each measure and each reporting unit.~~

~~y. NDIEC: A *Non-Dominant Inter-Exchange Carrier* (NDIEC) or long distance carrier (IEC/IXC) is only required to register with the Commission before providing long distance telephone services in California, per Pub.Util. Code~~

~~§ 1013.~~

~~z. Out of Service – A telephone line without dial tone.~~

aa. Plain Old Telephone Service: Plain Old Telephone Service (POTS) is traditional analog voice transmission phone system implemented over physical copper lines.

bb. Small Business Customer: Small business customers are those that purchase five or fewer lines.

~~cc. TDM – Time division multiplexing. For the purposes of the GO, TDM refers to traditional telephone service.~~

~~dd. Telephone Company/Utility – A public utility telephone corporation providing public telephone service as further defined by Pub. Util. Code~~

~~§§ 216 and 234.~~

ee. Telephone Corporation: Pursuant to Pub. Util. Code § 234, a telephone corporation includes every corporation or person owning, controlling, operating, or managing any telephone line for compensation within this state.

ff. Telephone Line: Pursuant to Pub. Util. Code § 233, a telephone line includes all conduits, ducts, poles, wires, cables, instruments, and appliances, and all other real estate, fixtures, and personal property owned, controlled, operated, or managed in connection with or to facilitate communication by telephone, whether such communication is had with or without the use of transmission wires.

~~gg. Trouble Report – Any oral or written notice by a customer or customer's representative to the telephone utility which indicates dissatisfaction with telephone service, telephone qualified equipment, and/or telephone company employees.~~

hh. URF Carrier: A Uniform Regulatory Framework (URF) carrier ~~utility that~~ is a wireline carrier that has full pricing flexibility over all or substantially all of its rates and charges. ~~A Uniform Regulatory Framework (URF) carrier~~ This includes any ILEC that is regulated through the Commission's URF, as established in Decision 06-08-030,~~ as modified from time to time by the Commission,~~ and includes CLECs and IECs.

ii. URF CLECs: CLECs that operate in territories previously reserved for the URF ILECs and regulated under the URF.

jj. URF ILECs: URF ILECs are distinguished from GRC ILECs in that they are currently granted pricing flexibility through D.06-08-030, which may be modified from time to time.

~~kk. Wire Center – A facility composed of one or more switches (either soft switch or regular switch) which are located on the same premises and which may or may not utilize common equipment. In the case of a digital switch, all remote processors that are hosted by a central processor are to be included in the central office wire center.~~

ll. Wireless Carrier: A wireless carrier (also known as a Commercial Mobile Radio Service provider under Federal Communications Commission regulations) is a carrier or licensee whose wireless network is connected to the ~~public switched telephone network (~~PSTN~~)~~. ~~Per Commission decision (D.94-10-031), wireless carriers are required to file a wireless identification registration with the Director of the Communications Division within the Commission.~~

~~1.4 Information available to the Public. The public utility telephone corporation shall maintain, available for public inspection at its main office in California, copies of all reports submitted to this Commission in compliance with these rules. These copies shall be held available for two years. The public utility telephone corporation shall identify the location and telephone number of its main office in California in its White Pages directory and/or on its Internet website and shall provide information on how to contact it. A copy of these reports will also be maintained and be available for public inspection at the Commission's San Francisco and Los Angeles offices. Copies shall also be made available to interested parties for a nominal fee to cover the cost of processing and reproduction. The availability shall be limited to reports provided by the local serving company.~~

~~1.5 Location of Records. All reports required by these rules shall be kept and made available to representatives, agents, or employees of the Commission upon reasonable notice.~~

~~1.6 Reports to the Commission. The public utility telephone corporation shall furnish to the Commission, at such times and in such form as the Commission may require, the results or summaries of any measurements required by these rules. The public utility telephone corporation shall furnish the Commission with any information concerning the utility's facilities or operations which the Commission may request and need for determining quality of service.~~

~~1.7 Deviations from any of these Rules. In cases where the application of any of the rules incorporated herein results in undue hardship or expense to the public utility telephone corporation, it may request specific relief by filing a formal application in accordance with the Commission's Rules of Practice and Procedure, except that where the relief requested is of minor importance or temporary in nature, the Commission may accept an application and showing of necessity by letter.~~

1.4 **Revision of Rules**

Public utility telephone corporations subject to these rules and other interested parties may individually or collectively file with this Commission a petition for rulemaking pursuant to Pub. Util. Code § 1708.5 for the purpose of amending these rules. The petition shall conform to the requirements of Rule 6.3 of the Commission's Rules of Practice and Procedure.

2. MINIMUM STANDARDS OF VOICE SERVICE MEASURES

General. These rules establish minimum standards and uniform reporting levels for the installation, maintenance, and customer service for communications services. ~~operator answer time for local exchange telephone service based on TDM.~~ The established service measures ~~established~~ for voice services are as follows:

- Installation Standard
- POTS and VoIP Outage Repair Standard
- Customer Service Standard

~~***Service Measure***~~	~~***Type of Service***~~
~~Installation Interval~~	~~Installation~~
~~Installation Commitments~~	~~Installation~~
~~Customer Trouble Reports~~	~~Maintenance~~
~~Out of Service Repair Interval~~	~~Maintenance~~
~~Answer Time~~	~~Operator Services~~

2.1 Installation Standard

This standard applies to the following POTS and fixed interconnected VoIP service providers:

- All COLRs;
- Fixed interconnected VoIP providers that meet the criteria outlined in Decision 24-11-003:

- All interconnected VoIP service providers, with the exception of nomadic-only interconnected VoIP service providers as defined in this decision, must obtain a grant of operating authority through a CPCN or a Section 1013 registration.
- Facilities-based telephone corporations.

a. Description. The Installation Standard requires communications telephone corporations to 1) establish basic service for POTS and VoIP within five business days of when a customer places an installation service order and 2) fulfill 100 percent of these service orders. This standard applies to residential and small business customers.

b. Minimum Standard. Telephone corporations are required to complete service orders within five business days.

c. Exemptions include the following:

    i. Declaration of a state of emergency by the Governor related to disasters or electric grid outages;

    ii. Natural catastrophes with the exception of drought, that are not declared as states of emergency;

    iii. Active Public Safety Power Shutoffs;

    iv. Limited exemption under the 811 Underground Service Alert Program;

    v. Third-party cable cuts;

    vi. Incidents of cable theft or vandalism;

    vii. Customer's request to change appointment;

    viii. Lack of access to premises.

    All applicable exemptions must be substantiated by an incident report, police report, customer request report, or other relevant information that document allowable exemption events.

d. Reporting Unit. Individual service order level.

e. Reporting Frequency. Telephone corporations shall compile reports monthly and submit them quarterly to the Commission (See Section 3 Reporting Requirements for details).

f. Fine Mechanism: If a service order is not fulfilled within five business days, assess a base fine amount of $5 per day beginning on the sixth day as an automatic customer credit. This automatic customer credit is required to be reflected on the customer's bill within 60 days after the last day of the initial billing period for the fulfilled service order. For unfulfilled service orders, checks must be sent to the customer within 60 days from the end of the calendar month. This automatic customer credit fine mechanism will continue until service orders are fulfilled.

g. Environmental and Social Justice (ESJ) Consideration. For service orders in a DAC or Communications AAC that are not fulfilled within five business days, violations will be assessed at the same rate as those in non-ESJ communities.

   Telephone corporations shall provide additional data on violations in these ESJ communities as part of GO 133 reporting (See Section 3 Reporting Requirements for details). Commission shall use the data to determine if there is a need to increase base fine amounts or employ further enforcement actions.

2.2 POTS and VoIP Outage Repair Standard

This standard applies to the following POTS and fixed interconnected VoIP service providers:

- All COLRs;
- Fixed interconnected VoIP providers that meet the criteria outlined in Decision 24-11-003:
  - All interconnected VoIP service providers, with the exception of nomadic-only interconnected VoIP service providers as defined in this decision, must obtain a grant of operating authority through a CPCN or a Section 1013 registration.
  - Facilities-based telephone corporations.

a. Description. The POTS and VoIP Outage Repair Standard requires telephone corporations to restore outage tickets within 24 hours. The outage duration is expressed in ~~clock~~ hours and minutes, between the time of reported loss of service and when service is restored, less the hours and minutes that elapse during an allowable exemption event where applicable. This standard applies to residential and small business customer outage tickets.

b. Minimum Standard. Telephone corporations are required to restore outage tickets within 24 hours.

c. Exemptions include the following:

   i. Declaration of a state of emergency by the Governor related to disasters or electric grid outages;

   ii. Natural catastrophes with the exception of drought, that are not declared as states of emergency;

   iii. Active Public Safety Power Shutoffs;

iv. Limited exemption under the 811 Underground Service Alert Program;

v. Third-party cable cuts;

vi. Incidents of cable theft or vandalism;

vii. Customer's request to change appointment;

viii. Lack of access to premise.

Carriers in the Tier 2 and Tier 3 High Fire Threat Districts are excluded from claiming exemptions for power outages related to disasters or natural catastrophes for the first 72 hours pursuant to Decision 20-07-011 and Decision 21-02-029, which require wireless and wireline carriers to provide 72 hours of backup power. If backup power requirements adopted in D.20-07-011 and/or D.21-02-029 are amended, the carriers should follow the amended requirements. Any claims by these carriers that providing service was impacted for any other reason must be substantiated with applicable data and reports.

All applicable exemptions must be substantiated by an incident report, police report, customer request report, or other relevant information that document allowable exemption events.

d. Reporting Unit. The POTS and VoIP Outage Repair Standard is measured at the individual access line level.

e. Reporting Frequency. Telephone corporations shall compile reports monthly and submit them quarterly (See Section 3 Reporting Requirements for details).

f. Fine Mechanism. For outage tickets that are not repaired within 24 hours, the Commission shall assess two parallel and concurrent fine structures:

Assess an automatic customer credit equal to 1/30th of service's monthly bill for each day that exceeds the 24-hour repair standard for each access line. Applicable automatic customer credit must be reflected on the customer's bill within 60 days after the last day of the billing period during which the credit applies to. The automatic customer credit in this GO applies only to charges associated with the service. Concurrently, the Commission will establish fines payable to the general fund of $5 per line per day for outages lasting longer than 24 hours.

g. Environmental and Social Justice Consideration. For outage tickets in a DAC or Communications AAC that are not repaired within 24 hours, violations will be assessed at the same rate as those in non-ESJ communities.

Telephone corporations shall provide additional data on violations in these ESJ communities as part of GO 133 reporting (See Section 3 Reporting Requirements for details). Commission shall use the data to determine if there is a need to increase base fine amounts or employ further enforcement actions.

2.3 Customer Service Standard

This standard applies to the following POTS and fixed interconnected VoIP service providers and nationwide facilities-based wireless carriers with 5,000 or more access lines:

- All COLRs;
- Fixed interconnected VoIP providers that meet the following criteria per Decision 24-11-003:
    - All interconnected VoIP service providers, with the exception of nomadic-only interconnected VoIP service providers as defined in this decision, must obtain a grant of operating authority through a CPCN or a Section 1013 registration.
    - Facilities-based telephone corporations;
- Nationwide facilities-based wireless carriers (AT&T, Verizon, and T-Mobile).

a. Description. The Customer Service Standard requires telephone corporations to comply with the following five criteria:

i. Maintain a local, toll-free or collect call telephone access line which will be available to its subscribers 24 hours a day, seven days a week:

At minimum, trained company representatives will be available to respond to customer telephone inquiries during normal business hours (Monday to Friday between 8am and 5pm Pacific Standard Time).

After normal business hours, a call may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours must be responded to by a trained company representative on the next business day.

ii. A customer representative must answer 80% of the customer service calls within 60 seconds.

iii. Provide a postal mail component for customer service inquiries. The postal mail contact must be provided on the company's website, via customer service telephone line, and bill inserts.

iv. Resolve billing-related inquiries within 90 days from the initial customer inquiry.

v. All outage-related inquiries must be directed to the appropriate POTS and VoIP Outage Repair Standard.

b. Standard Adhere to all five criteria.

c. Exemptions include the following:

i. Declaration of a state of emergency by the Governor related to disasters or electric grid outages;

ii. Natural catastrophes with the exception of drought, that are not declared as states of emergency.

iii. Active Public Safety Power Shutoffs.

d. Reporting Unit. Customer Service Standard is measured at the company level.

e. Reporting Frequency. Telephone corporations shall compile reports monthly and submit them quarterly (See Section 3 Reporting Requirements for details).

f. Fine Mechanism. For noncompliance, the Commission shall assess a monthly fine payable to the general fund. The fine amount calculation is as follows:

Monthly Fine = Number of access lines x $5 x 10 percent x Number of days noncompliance / 365

g. Environmental and Social Justice Consideration. Not applicable.

~~2.2 Description of Reporting Levels. These levels have been established to provide customers information on how carriers perform. Minimum standard reporting levels are established for each of the service measures. Minimum standard reporting levels are applicable to each individual reporting unit.~~

~~**3. MINIMUM TELEPHONE SERVICE MEASURES**~~

~~3.2 Installation Interval – Applies to GRC ILECs.~~

~~a. Description. Installation interval measures the amount of time to install basic telephone service from the day and hour the customer requests service until it is established. When a customer orders basic service he/she may request additional features, such as call waiting, call forwarding, etc. If an additional feature is included in a basic service installation, the installation interval should only reflect the basic service installation. Installation interval applies to residential and small business customers (those that purchase five or fewer lines).~~

~~b. Measurement. The average interval measured by summing each installation~~

~~interval, expressed in business days, between the date the service order was placed and the date the service becomes operational during the current reporting period, divided by the total service orders during the reporting period. This amount excludes all orders having customer requested appointments (CRS) later than the utility's commitment dates.~~

~~c. Minimum Standard Reporting Level. Business Days. Five Business Days is the minimum standard.~~

~~d. Reporting Unit. Exchange or wire center, whichever is smaller. Wire centers with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch. All reporting carriers shall submit the raw data included in the report.~~

~~e. Reporting Frequency. The interval shall be compiled monthly and reported quarterly for all reporting units.~~

~~3.3 Installation Commitments – Applies to GRC ILECs.~~

~~a. Description. Requests for establishment of basic telephone services. Commitments will not be considered missed when resulting from customer actions. Installation commitments apply to residential and small business customers (those that purchase five or fewer lines).~~

~~b. Measurement. Monthly count of the total commitments and the~~

~~commitments missed. Commitments met, expressed as a percentage, will equal total commitments minus missed commitments divided by total commitments.~~

~~c. Minimum Standard Reporting Level. 95% commitments met.~~

~~d. Reporting unit. Exchange or wire center, whichever is smaller. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch. All reporting carriers shall submit the raw data included in the report.~~

~~e. Reporting Frequency. Compiled monthly and reported quarterly.~~

~~3.4 Customer Trouble Reports – Applies to TDM-based voice services offered by GRC ILECs and facilities-based URF Carriers with 5,000 or more customers and to any URF Carrier with fewer than 5,000 customers that is a COLR. Trouble reports apply to residential and business customers.~~

~~a. Description. Service affecting, and out of service trouble reports, from customers and users of telephone service relating to dissatisfaction with telephone company services. Reports received will be counted and related to the total working lines within the reporting unit in terms of reports per 100 lines.~~

~~b. Measurement. Customer trouble reports received by the utility will be~~

~~counted monthly and related to the total working lines within a reporting unit.~~

~~c. Minimum Standard Reporting Level. Report number of trouble reports per 100 working lines (excluding terminal equipment reports). Six trouble reports per 100 working lines for reporting units with 3,000 or more working lines, eight reports per 100 working lines for reporting units with~~

~~1,001-2,999 working lines, and 10 reports per 100 working lines for reporting units with 1,000 or fewer working lines.~~

~~d. Reporting Unit. Exchange or wire center, whichever is smaller. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch. URF CLECs that do not have exchanges or wire centers shall report at the smallest reporting unit. All reporting carriers shall submit the raw data included in the report.~~

~~e. Reporting Frequency. Compiled monthly, reported quarterly.~~

~~3.5 Out of Service Repair Intervals – Applies to TDM-based voice services offered by GRC ILECs, facilities-based URF Carriers with 5,000 or more customers, and to any URF Carrier with fewer than 5,000 customers that is a COLR.~~

~~a. Description. A measure of the average interval, in hours and minutes from the time of the reporting carrier's receipt of the out of service trouble report to the time service is restored for residential and small business customers.~~

~~b. Measurement. Commitment is measured by taking the total number of the repair tickets restored within less than 24 hours divided by the total outage report tickets. In addition, the system average outage duration is measured by summing each repair interval, expressed in clock hours and minutes, between the time the customer called to report loss of service and when the customer regains dial tone, divided by the total outage report tickets. These measurements include only residential and small business customer tickets.~~

~~Carriers shall submit both the adjusted and unadjusted out of service data.~~

~~The adjusted measurements exclude Sundays, federal holidays and repair tickets when maintenance is delayed due to circumstances beyond the carrier's control. Typical reasons for delay include, but are not limited to: outage caused by cable theft, third-party cable cut, lack of premise access when a problem is isolated to that location, absence of customer support to test facilities, or customer's requested appointment. Deferred maintenance or lack of available spares are not circumstances beyond a carrier's control. Changed appointments shall be reported separately by identifying the number of such appointments and the time, in hours and minutes, associated with these appointments.~~

~~A catastrophic event, an event where there is a declaration of a state of emergency by a federal or state authority, and a widespread service outage (an outage affecting at least 3% of the carrier's customers in the state) are circumstances beyond the carrier's control. A catastrophic event ends when the trouble ticket level returns to the average level three months prior to the catastrophic event. The average level is calculated by summing the actual number of out-of-service tickets for residential and small business (5 lines or less) customers for the three consecutive calendar months that did not have catastrophic events prior to the declared State of Emergency divided by three.~~

~~When quarterly reporting includes a delay for one or more months or if a catastrophic event or widespread outages affects a carrier's adjusted reporting, the carrier shall provide supporting information as to why the month should be excluded and work papers which explain the event, the date(s), the areas affected, the total number of residential and small business lines affected, and how the adjusted figure was calculated.~~

~~c. Minimum Standard Reporting Level. Based on adjusted results, 90% of all out of service trouble reports within 24 hours is the set minimum standard.Both the percentage of outages meeting the 24-hour standard and the actual system-wide average outage duration should be reported.~~

~~d. Reporting Unit. Reporting is at the state-wide level. However, carriers shall submit with the report the underlying data at the exchange or wire center level, whichever is smaller, that supports the information being reported. A wire center with fewer than 100 lines should be combined with other central offices within the same location. A remote switching unit with fewer than 100 lines should also be added to its host switch. URF CLECs that do not have exchanges or wire centers shall report at the smallest reporting unit.~~

~~All reporting carriers shall submit the raw data used to generate the report. Raw data should include zip code (zip+4) of the billing address associated with the line and type of allowable adjustments which were excluded according to section (b.). Instructions for submitting data can be found in the Communications Division pages of the Commission's web site. www.cpuc.ca.gov.~~

~~e. Reporting Frequency. Compiled monthly and reported quarterly for those reporting units.~~

~~3.6 Answer Time for trouble reports and billing and non-billing inquiries applies to TDM-based voice services provided by GRC ILECs, facilities-based URF Carriers with 5,000 or more customers, and any URF Carrier with fewer than 5,000 customers that is a COLR.~~

~~a. Description. A measurement of time for the operator to answer within 60 seconds 80% of calls to the business office for billing and non-billing inquiries and to the repair office for trouble reports. This measurement excludes any~~

~~group of specialized business account representatives~~

~~established to address the needs of a single large business customer or a small group of such customers. A statistically valid sample of the answering interval is taken to obtain the percentage of calls answered within 60 seconds. A customer must be presented with the option on an interactive voice response (IVR) or automatic response unit (ARU) system to speak with a live agent, preferably in the first set of options.~~

~~b. Measurement. An average answer time of a sample of the answering interval on calls to the business office and repair office that is representative of the measurement period.~~

~~c. Minimum Standard Reporting Level. 80% answered within 60 seconds when speaking to a live agent or 80% answered within 60 seconds when speaking to a live agent after completing an IVR or ARU system. If measurement data of average answer time is used, it will be converted to the percent answered within 60 seconds.~~

~~d. Reporting Unit. Each traffic office serving 10,000 or more lines and handling calls to the business office for billing and non-billing inquiry calls and to the repair office for trouble report calls.~~

~~e. Reporting Frequency. Compiled monthly and reported quarterly for percent answered within 60 seconds.~~

3. REPORTING REQUIREMENTS

3.1 Reporting Parameters

The Commission's Communications Division (CD) staff shall determine reporting parameters, such as metadata fields, formatting, file types, and submission methods. CD staff shall update the templates as necessary.

3.2 **Quarterly Report Submission** (four filings per calendar year)

a. All telephone corporations subject to GO 133 standards are required to submit the following information on a quarterly basis.

~~b.~~ Due Date. Each quarterly report must be submitted within 45 days following the end of each calendar quarter.

c. Format. Submit the report in compliance with CD reporting parameters via email to the Network Performance and Public Safety Section of the Communications Division or its successor.

d. Report Content. The report must include the following information at a minimum.

- Active access line count
- Service performance measures compared to established standards
- Allowable exemption events wherever applicable
- Violations in ESJ communities, and
- Automatic customer credits issued due to Installation Standard and the POTS and VoIP Outage Repair Standard violations.

The quarterly report must distinctly present monthly data, utilizing the standardized templates provided by the Communications Division.

e. Retention of Records. Telephone corporations must retain all data and supporting documents for a period of five years.

3.3 Annual Report Submission (one filing per calendar year if applicable)

a. All telephone corporations that incur a fine resulting from GO 133 violations are required to provide an annual report submission, as detailed below.

b. Due Date. Each annual report must be submitted within 60 days after the end of the calendar year and at least 10 days after the last quarterly submission of the calendar year.

c. Format. Tier 2 Advice Letter submitted to the Network Performance and Public Safety Section of the Communications Division or its successor.

d. Content. The report must detail all fines resulting from violations of the Installation Standard, the POTS and VoIP Outage Repair Standard, and the Customer Service Standard for the specified reporting year.

e. Once the Tier 2 Advice Letter is approved, the telephone corporation found in violation must pay the required fines to the Commission within 30 days.

f. Retention of Records. Telephone corporations must retain all data and supporting documents for a period of five years.

4. CORRECTIVE ACTION PLAN (CAP) ENFORCEMENT MECHANISM

All telephone corporations that adhere to the POTs and VoIP Outage Repair Standard are required to submit a Corrective Action Plan (CAP) if they fail to repair 90% of the access line outages within 24 hours in a calendar month for six or more months within a calendar year.

Due Date. Within 90 days after the end of the calendar year and at least 10 days following the annual submission.

Format. Tier 3 Advice Letter.

Content. A CAP must demonstrate meaningful progress in meeting service quality standards within a two-year span. The first six months of a CAP constitute the *implementation* phase. The remaining 18 months of a CAP constitute the *assessment* phase. Supplemental quarterly reporting is required for the entire two-year duration.

A CAP must include a detailed outline of specific actions the telephone corporation will take to improve performance, achieve compliance, and prevent recurring issues. It should include timelines, assign responsible staff or departments, detail the investment amount to execute the plan, establish performance metrics, and outline progress monitoring mechanisms.

A CAP must establish a clear path for meeting specific benchmarks within two years, starting from the time it identifies any failure to meet the required performance thresholds.

Commission Investigation. If a carrier fails to make substantial documented progress towards meeting service quality standards for six or more months during the *assessment* phase, the Commission shall initiate an order instituting investigation (OII) into continued noncompliance or other appropriate enforcement action.

A telephone corporation with a corrective action plan in place would not be subject to additional corrective action plans until the current plan is dispensed with or any OII or other enforcement action initiated for non-compliance s completed.

Retention of Records. Telephone corporations must retain all data and supporting documents for a period of five years, or in cases where the Commission initiates an OII, documents must be retained until a final judgment is reached on the matter.

5. ~~MAJOR~~ SERVICE ~~INTERRUPTION~~ OUTAGE REPORTING

a. Applicability. This section applies to all telephone corporations. ~~that have been granted either a franchise or a Certificate of Public Convenience and Necessity (CPCN) pursuant to Public Utilities Code §1001,~~

~~**i.** Telephone corporations that are registered under Public Utilities Code §1013,~~

~~**ii.** Telephone corporations that are registered with this Commission pursuant to Wireless Identification Registration (WIR) process, and~~

~~iii. Any entity subject to Public Utilities Code § 285.~~

b. Description. The Commission adopts and utilizes ~~for its major service interruption reporting the Federal Communications Commission's (FCC) Part 4 rules concerning communications disruption and outages,~~ the FCC's Network Outage Reporting System (NORS) reporting requirements~~, and the annual ETC (Eligible Telecommunications Carrier) outage report, as modified by FCC over time. The FCC's Part 4 rules and NORS user manual can be found at the following FCC website link:~~

~~http://www.fcc.gov/pshs/services/cip/nors/nors.html~~

c. NORS Reporting Procedures:

(i) ~~Written reports are normally satisfactory. In cases where large numbers of customers are impacted or that are otherwise of great severity, a telephone report should be made promptly. For those entities that offer both TDM-based and VoIP services,~~ Telephone corporations are required to provide NORS reports for all service types, including POTS, VoIP, and wireless.

(ii) Concurrent reports shall be submitted to the Communications Division ~~CD~~ and the ~~Office of Ratepayer~~ Public Advocates Office ~~(ORA)~~ or their successor divisions when the carrier files its reports with the FCC's NORS system. Carriers shall submit a report to the Commission when the communication disruption or outage meets the FCC's reporting threshold and that disruption or outage involves communications in California, regardless of whether the affected communications in California independently meet the FCC's reporting threshold. ~~Reports shall be filed with the CD.~~

(iii) Final NORS reports shall be made confirming that service has been fully restored.

(iv) The Communications Division may request, through a standard template, the underlying data, including but not limited to individual access line information, of these outage notifications.

~~(v) ETCs, concurrent with their FCC filing, shall submit the annual outage report that provides detailed information on any outage lasting at least 30 minutes and potentially affecting 10% of their customers in a designated service area.~~

d. Cal OES Reporting Procedures:

(i) Telephone corporations are required to provide community isolation outage notifications to Cal OES for all service types, including POTS, VoIP, and wireless.

(ii) The Communications Division may request, through a standard template, the underlying data, including but not limited to individual access line information, of these outage notifications.

e. Confidentiality. ~~Major Service Interruption~~ NORS and Cal OES reports submitted to the Commission pursuant to these rules shall be treated as confidential in accordance with Pub. Util. Code § 583 and General Order 66-D-~~C~~.

f. Retention of Records. Telephone corporations must retain all data and supporting documents for a period of five years.

6. COMMISSION STAFF REPORTS

CD staff will compile the reports submitted as required by the Reporting Requirements detailed in Section 3. They will upload these reports, along with the minimum service standards and the performance of each telephone corporation to the Commission's website.

~~**7. WIRELESS COVERAGE MAPS** – Applies to all facilities based telephone corporations that are wireless carriers, and have been granted a CPCN or a WIR.~~

~~7.2 Description: Wireless coverage maps shall show where wireless phone users generally may expect to receive signal strength adequate to place and receive calls when outdoors under normal operating conditions.~~

~~7.3 Requirements. Wireless carriers shall provide coverage maps on their websites and at retail locations.~~

~~a. Wireless carriers shall provide coverage maps in printable format on their websites and in a printable or pre-printed format at retail locations that customers can take with them. Wireless carrier representatives at retail locations shall implement procedures to make available during a sales transaction coverage maps depicting approximate wireless service coverage applicable to the wireless service rate plan(s) being sold.~~

~~b. Wireless carriers shall provide coverage maps depicting approximate wireless service coverage applicable to the wireless service offered rate plan(s). All coverage maps shall include a clear and conspicuous disclosure of material limitations in wireless service coverage depiction and wireless service availability.~~

~~**8. RECORDS AND REPORTS**~~

~~8.2 Reporting Units. Service measurements shall be maintained by reporting units. Reporting units are exchange, central office entity, wire center, traffic office, trouble report service office, or business office as required.~~

~~The reporting unit for each service measure is defined in Section 3.~~

~~8.3 Reporting Requirements. Reports shall be made to the Communications Division of the Commission within 45 days of the end of the reporting quarter, for all reporting units. Service interruption shall be reported when it is considered a major interruption as defined in Section 4. See the Communications Division pages of the Commission's web site for reporting instructions.~~

~~Reports to the Commission of performance not meeting the reporting level shall state the levels of service for each service measure and the months being reported. Reports on reporting units for two or more consecutive months shall also include a description of the performance at the reported level, a corrective action plan which includes the specific action being taken to improve service, and the estimated date of completion of the improvements.~~

~~8.4 Retention of Records. Quarterly summary records of service measurements for each reporting unit shall be retained for three years. All major service interruption reports shall be retained for three years. All summary records shall be available for examination by Commission representatives during the retention period and special summaries of service measurements may be requested by the Commission.~~

~~8.5 Commission Staff Reports. The staff may compile and post the minimum service standards and the performance of each carrier on the Commission's website.~~

~~9. STAFF INVESTIGATIONS AND ADDITIONAL REPORTING REQUIREMENTS~~

~~Commission staff may investigate any reporting unit that does not meet a minimum standard reporting level and any major service interruption. Staff may recommend the Commission institute a formal investigation into a carrier's performance and alleged failure to meet the reporting service level for six or more consecutive months.~~

~~Carriers that fail to meet any standard for two consecutive months or more shall file with the Communications Division, or its successor, a Corrective Action Plan for each month that the service quality measures are not met that explains the reason(s) for missing the standard(s) and the actions that the company will take to correct the causes and improve performance to a level that meets adopted measures and standards.~~

~~10. REFUNDS~~

~~URF carriers and GRC ILECs shall utilize their existing tariff or customer guidebook provisions for customer refunds. If a carrier does not have a tariff or guidebook provision for customer refunds, the carriers should develop a refund policy and file with the Commission a Tier 1 Advice Letter to describe the refund~~

~~policy, identify where the policy can be found, and modify the tariff or customer guidebook as appropriate.~~

~~All carriers shall report the number and total amount of refunds by month. This data should be compiled monthly and reported quarterly in a separate form filed with the quarterly service quality reports.~~

~~11. FINES~~

~~11.2 General. Applies to facilities-based telephone corporations that offer TDM-based voice service and have been granted either a franchise or a Certificate of Public Convenience and Necessity (CPCN) pursuant to Public Utilities Code § 1001 or are registered pursuant to Public Utilities Code §1013, and are regulated under the Uniform Regulatory Framework (URF) adopted in D.06-08-030. For companies that offer both TDM and VoIP based services, fines apply only to TDM-based service.~~

~~A carrier will begin incurring a fine for these measures when it reaches a "chronic failure status," which is failure to meet the minimum standard for three consecutive months. No fines will be assessed for missing the first two months.~~

~~A carrier in chronic failure status will be fined a specific amount for each day that it failed to meet the minimum monthly standard. The fine does not end and restart when the calendar reporting year ends and a new year begins. A carrier exits chronic failure status after it meets the standard for two consecutive months. However, until the carrier exits chronic failure status, the carrier will continue to incur fines for any succeeding months that it failed to meet the standard.~~

~~The fine will be assessed based on the size of the carrier relative to the number of access lines in California at the end of June of the applicable year. The June 30th total California line count will be posted on the Communications Division's web page for each year of calculation. The formula to scale the fines follows:~~

> ~~(Carrier's Access Lines/Total CA Access Lines in June) = Carrier's Scaling Factor~~
>
> ~~(Carrier's Scaling Factor) X (Monthly Base Fine per Measure) X (Number of Months Measure Was Not Met) = Fine~~

~~For example, if a carrier were 24% of total access lines, the scaling factor of .24 would be applied to the monthly base fine for the number of months that the carrier was in chronic status. A carrier will exit chronic failure status when it meets the standard for two consecutive months.~~

~~11.3 Dispute Resolution. If CD staff determines that the calculation(s) in the advice letter is (are) incorrect, staff will attempt to clarify the terms and calculations with carrier. If the dispute is resolved, the carrier shall file a supplemental advice letter with corrected terms and calculations. If staff continues to~~

~~disagree with the carriers' calculations, staff shall reject the supplemental advice letter.~~

~~The carrier (or a protesting party, or a third party, if applicable) may request Commission review of the advice letter disposition in accordance with GO 96B § 7.7.1. In the event staff disputes the advice or the carrier~~

~~requests commission review, staff will prepare and place on the Commission's meeting agenda a proposed resolution, and will serve it on the requester and all others on whom the request was served.~~

~~11.4 Out of Service (OOS) Repair Interval Fine. Carriers must meet the minimum OOS measure on a monthly basis. Initially, if a carrier does not meet this standard for three (3) consecutive months, it will be assessed a fine based on adjusted results, beginning in the third month, and will be considered to be in chronic failure status.~~

~~The base daily fine amount for OOS is $25,000. For the purpose of calculating the fine, a month consists of 30 days.~~

~~For example, if a carrier that had 60% of total access lines initially failed to meet the standard for three consecutive months, the fine for the third, and each subsequent month, would be $750,000 per month X the carrier's scaling factor of .6, for a total of $450,000 per month. Table 1 is a summary of the base fine for failure to meet the OOS standard.~~

~~Table 1: Base Out Of Service Fine~~

	~~1 to 2 Consecutive Months of OOS Standard Not Met~~	**~~3 or more Consecutive Months of OOS 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~~

~~11.5 Customer Trouble Reports (CTR) Fine. The fines for customer trouble reports shall be based on company-wide CTR results. Once it reaches chronic status, a carrier receiving 10 or more customer trouble reports per 100 access lines (10%) for its entire service territory will be assessed a fine.~~

~~The fine amount will be increased based on the number of consecutive months a~~

~~carrier fails to meet the 10% standard. The initial fine is $500 per day, which will escalate to the highest daily fine of $2,000 per day after 12 or more consecutive months. Table 2 illustrates the progression.~~

~~Table 2: Base Customer Trouble Report Fine~~

	~~1 to 2 Consecutive Months~~	~~3 to 5 Consecutive Months~~	~~6 to 8 Consecutive Months~~	~~9 to 11 Consecutive Months~~	~~12 or More Consecutive Months~~
~~Fine Per Day~~	~~$0~~	~~$500~~	~~$1,000~~	~~$1,500~~	~~$2,000~~
~~Days in Month~~	~~30~~	~~30~~	~~30~~	~~30~~	~~30~~
~~Base Fine per Month~~	~~$0~~	~~$15,000~~	~~$30,000~~	~~$45,000~~	~~$60,000~~

~~11.6 Answer Time for Trouble Reports and Billing and Non-billing Inquiries Fine. The fines for Operator Answer Time will be assessed on a carrier for each day that it fails to meet the minimum standard of answering at least 80% of the all customer calls within 60 seconds.~~

~~The initial base fine is $500 per day, which will escalate to the highest daily fine of $2,000 per day. Table 3 illustrates the progression.~~

~~Table 3: Base Answer Time Fine~~

	~~1 to 2 Consecutive Months~~	~~3 to 5 Consecutive Months~~	~~6 to 8 Consecutive Months~~	~~9 to 11 Consecutive Months~~	~~12 or More Consecutive Months~~
~~Fine Per Day~~	~~$0~~	~~$500~~	~~$1,000~~	~~$1,500~~	~~$2,000~~
~~Days in Month~~	~~30~~	~~30~~	~~30~~	~~30~~	~~30~~
~~Base Fine per Month~~	~~$0~~	~~$15,000~~	~~$30,000~~	~~$45,000~~	~~$60,000~~

~~11.7 Advice Letter Tabulating Fine. 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 using MS Excel~~

~~spreadsheets (or a format specified by the Communications Division) with explanations of how each fine was calculated and assumptions used in the calculation. 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.~~

~~The minimum annual fine shall be no lower than the registration fee for a CPCN.~~

~~11.8 Alternative Proposal for Mandatory Corrective Action~~

~~In support of a request to suspend the fine, carriers may propose, in their annual fine filing, to invest no less than twice the amount of their annual fine in a project (s) which improves service quality in a measurable way~~

~~within 2 years. The proposal must demonstrate that 1) twice the amount of the fine is being spent, 2) the project (s) is an incremental expenditure with supporting financials (e.g. expenditure is in excess of the existing construction budget and/or staffing base), 3) the project (s) is designed to address a service quality deficiency and, 4) upon the project (s) completion, the carrier shall demonstrate the results for the purpose proposed.~~

~~Carriers are encouraged to review their service quality results to find appropriate target projects to invest funds.~~

~~12. 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.~~

(End of Attachment A)