General Order 133-E

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

1. GENERAL

1.1 Intent

a. Purpose. The purpose of these rules is to establish uniform minimum standards of service for 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. CLEC: A Competitive Local Exchange Carrier (CLEC), per Public Utilities Code (Pub. Util. Code) §§ 234 and 1001, and Decision 95-07-054, provides local telephone services in areas that were previously 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.

f. 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.

g. 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.

h. 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.

i. 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.

j. 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.

k. Facilities-Based Carriers: A telephone corporation 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.

l. GRC ILECs: A General Rate Case (GRC) Incumbent Local Exchange Carrier (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 D.14-01-036.

m. 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.

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

o. ILEC: An Incumbent Local Exchange Carrier (ILEC) is a certificated local telephone company that used to be the exclusive local telephone service provider in a franchise territory established before the Telecommunications Act of 1996. See Pub. Util. Code §§ 234 and 1001.

p. 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.

q. 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.

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

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

t. 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.

u. 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.

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

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

x. URF ILECs: URF ILECs are distinguished from GRC ILECs in that they are currently granted pricing flexibility through D.06-08-030.

y. Wireless Carrier: A wireless carrier (also known as a Commercial Mobile Radio Service provider) is a carrier or licensee whose wireless network is connected to the PSTN.

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. The established service measures for voice services are as follows:

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

2.1 Installation Standard

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

- Facilities-based telephone corporations;
- 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.

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. Unplanned loss of commercial power that exceeds any applicable state or federal backup power requirements;

   viii. Customer's request to change appointment; and

   ix. 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. Telephone corporations shall provide additional data on violations in ESJ communities as part of GO 133 reporting (See Section 3 Reporting Requirements for details).

2.2 POTS and VoIP Outage Repair Standard

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

- Facilities-based telephone corporations;
- 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.

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 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. Unplanned loss of commercial power that exceeds any applicable state or federal backup power requirements;

viii. Customer's request to change appointment; and

ix. 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. Telephone corporations shall provide additional data on outages in ESJ communities as part of GO 133 reporting (See Section 3 Reporting Requirements for details).

2.3 Customer Service Standard

This standard applies to the following POTS and fixed interconnected VoIP service providers with 5,000 or more access lines:

- Facilities-based telephone corporations;
- 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.

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.

        Telephone corporations may offer a callback service. If customers choose to use this callback service, and a customer service representative responds to the customer service call within 24 hours, then this call will not count against meeting this criterion.

    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. Standards 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; and

    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.

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 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 noncompliance is 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. SERVICE OUTAGE REPORTING

a. Applicability. This section applies to all telephone corporations.

b. Description. The Commission adopts and utilizes the FCC's Network Outage Reporting System (NORS) reporting requirements. The Commission also adopts and utilizes the California Governor's Office of Emergency Services (Cal OES) requirement for telephone corporations to submit notifications for community isolation outages.

c. NORS Reporting Procedures:

   i. 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 and the Public Advocates Office 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.

   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.

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. 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.

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.