Decision 26-03-026 March 19, 2026

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

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| Application of Greenfield Communications, Inc., for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013. | Application 24-11-008 |

# DECISION GRANTING GREENFIELD COMMUNICATIONS, INC., A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FIXED INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES

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# DECISION GRANTING GREENFIELD COMMUNICATIONS, INC., A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FIXED INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES

## Summary

Pursuant to Public Utilities Code Section 1001, the Commission grants Greenfield Communications, Inc. a Certificate of Public Convenience and Necessity to provide non-facilities-based fixed interconnected Voice over Internet Protocol services subject to the terms and conditions set forth in the Ordering Paragraphs.[1]

Greenfield Communications, Inc. must pay a penalty in the amount of $4,000 within 30 days of the issuance date of this decision.

Application 24-11-008 is closed.

## 1. Background

### 1.1 Procedural Background

On November 21, 2024, Greenfield Communications, Inc. (Greenfield or Applicant), a Delaware corporation authorized to do business in California, filed Application (A.) 24-11-008 for registration as an interexchange carrier telephone corporation pursuant to Public Utilities Code (Pub. Util. Code) Section 1013.

Greenfield proposes to provide non-facilities-based fixed interconnected Voice over Internet Protocol (VoIP) services to residential customers at private

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[1] While this application was filed pursuant to Pub. Util. Code Section 1013, an expedited and ministerial registration process, it was converted to a certificate of public convenience and necessity (CPCN) application pursuant to Pub. Util. Code Section 1001 because the Applicant did not meet the requirements to register with the Commission pursuant to Pub. Util. Code Section 1013. Neither response nor protest to the Application has been filed and the resulting assignment to an Administrative Law Judge removed it from the registration track. It has therefore been evaluated as a CPCN under Pub. Util. Code Section 1001.

master planned communities, via the internet over fiber optic cable and through a third-party service provider.

Greenfield's principal place of business is located at 34112 Violet Lantern, Suite C, Dana Point, CA 92629.

No protests were filed regarding Greenfield's application. On January 8, 2025, the application was reassigned for review pursuant to Pub. Util. Code Section 1001 because Greenfield did not disclose a prior suspended CPCN. Thus, the application did not qualify for the simplified registration process because Applicant's activities warranted a more comprehensive review process.

On February 28, 2025, April 2, 2025, May 22, 2025, and July 1, 2025, the Administrative Law Judge issued rulings titled *ALJ's Ruling Directing Filing of Additional Information Within 10 Days*. Greenfield timely responded to each ruling on April 14, 2025, May 27, 2025, and July 8, 2025, respectively.

The remote prehearing conference (PHC) took place on March 25, 2025, via Webex.

The assigned Commissioner's Scoping Ruling was issued on April 10, 2025. On July 22, 2025, a status conference was held.

### 1.2 Factual Background

Greenfield previously received a CPCN in 2003 granting it authority to "operate as a resale provider of competitive local exchange services, and interexchange services,"[2] and was assigned number U-6763-C. The CPCN was updated in 2008 and granted Greenfield authority to expand the existing CPCN

[2] D.03-05-009 at Ordering Paragraph (OP) 1

to include limited facilities-based local exchange services.[3] Greenfield's CPCN License U-6763-C -- which authorized it to operate as a Competitive Local Reseller (CLR), Interexchange Reseller (IER), and Competitive Local Carrier (CLC) -- was revoked effective April 21, 2018, for failure to remit the required user fees.[4] Greenfield continued to operate after revocation of CPCN U-6763-C, providing interexchange VoIP services in California without a CPCN or current registration license from 2018 to the present date.[5]

The CPCN duties for U-6763-C were managed for many years by independent third-party service provider XCast Labs. During the PHC, the Applicant's representative stated he was unaware of the revocation because Greenfield had never used the CPCN, but he did not dispute the revocation of Greenfield's license.[6] Also, Greenfield's representative indicated that other than the 911 fees,

[3] D.08-02-021 at OP 1

[4] Resolution T-17597

[5] While Greenfield operated as an interconnected VoIP carrier since April 18, 2018 to the present without a license or registration, we decline to find a violation of a Commission rule or order for this as: (1) the regulatory framework for interconnected VoIP carriers was only recently adopted by the Commission in D.24-11-003, and Greenfield's application was filed within the 180-day grace period allowed by this decision for interconnected VoIP applicants to obtain a CPCN, and (2) because Greenfield, through third party service provider XCast Lab, met its past obligations to pay public purpose program surcharges and fees for interconnected VoIP services.

[6] PHC Reporter's Transcript (RT 3-25-2025), 16:6-8.

all user and surcharge fees for Greenfield's telecommunications services had always been paid by XCast Labs.[7]

Upon learning of the revocation at the PHC Greenfield took responsibility and stipulated to a Rule 1.1 violation, for failure to disclose the revocation of its prior License U-6763-C as part of the certification made in its application.[8] On July 22, 2025 Greenfield agreed to a Commission proposed penalty range.[9]

While Greenfield has been in the internet business since 2002, it began offering interconnected VoIP services in August of 2014. Interconnected VoIP is the only telecommunication services Greenfield has ever provided. Greenfield's main business is providing internet, mostly in private master planned residential communities, and as a courtesy to customers who request it, Greenfield also offers interconnected VoIP service. Due to change in the community demographics its interconnected VoIP customers are declining, and there are currently a total of 224 customers.[10]

In November of 2024 Clearly IP merged with XCast Labs and assumed their duties. Clearly IP requested that Greenfield handle paying the user fees and surcharges rather than Clearly IP as the third party. Greenfield's representative stated that Greenfield was seeking this CPCN to allow it to pay user and public purpose program fees directly to the Commission, and to have a CPCN

[7] Status Conference Reporter's Transcript (RT 7-22-2025), 4:25-5:10.

[8] RT 3-25-2025, 16:6-8.

[9] RT 7-22-2025, 11:18-12:3.

[10] RT 7-22-2025, 3:20.

accurately reflect the services of Greenfield. Clearly IP continues to pay necessary fees until a CPCN is granted, at which time Greenfield will assume the duty and pay all fees directly.[11]

## 2. Submission Date

This matter was submitted on July 22, 2025, upon completion of the Status Conference.

## 3. Issues Before the Commission

The issues in this proceeding are as follows:

The issues to be determined or otherwise considered are:

1. Whether Greenfield Communications, Inc. meets all Commission requirements to operate as a provider of non-facilities-based fixed interconnected VoIP services, including but not limited to financial, technical, and California Environmental Quality Act requirements for a CPCN.
2. Whether Greenfield Communications, Inc. is up to date on its surcharge obligations as of the date of its operations.
3. Whether a penalty should be assessed on Greenfield for not disclosing its failure to meet certification requirements, and if so, the reasonable amount of that penalty.

## 4. Jurisdiction

The Commission has broad jurisdiction over "public utilities,"[12] as defined in Public Utilities (Pub. Util.) Code Section 216.[13] California's constitution extends the Commission's jurisdiction to companies engaged in "the

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[11] RT 7-22-25, 4:25-5:10

[12] Pub. Util. Code § 216.

[13] Pub. Util. Code § 234.

transmission of telephone and telegraph messages," which includes both public utility services and facilities.[14] The Commission classifies entities providing two-way voice communications service for compensation within California as "telephone corporations"[15] and regulates them as public utilities.[16,17]

As part of its regulatory authority over "telephone corporations," the Commission authorizes certificates of public convenience and necessity to "telephone corporations" seeking to construct a "line, plant, or system, or any extension thereof" in California.[18] Pub. Util. Code Section 233 defines a "telephone line" to include "all conduits, ducts, poles, wires, cables, instruments, and appliances, and other real estate, fixtures, and personal property owned or 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." This includes services delivered over any technology, including, but not limited to, traditional copper lines, coaxial cable, fiber optic cable, and mobile or fixed wireless radios.

Providers of voice services, including local exchange carriers, interexchange carriers, and interconnected VoIP service providers, are telephone

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[14] *See* D.20-07-011, at 14-15, *See* Cal. Const., Art. XII, §§ 1-6; Pub. Util. Code § 701.

[15] Pub. Util. Code §§ 216, 233, 234; D.22-10-021 at 68.

[16] Pub. Util. Code § 216(a).

[17] Telephone corporations are required to file annual affiliate transaction reports and pay surcharges and user fees.

[18] Pub. Util. Code § 1001.

corporations subject to the Commission's jurisdiction.[19] Providers of local exchange, interexchange, and fixed interconnected VoIP services must obtain a CPCN or 1013 registration license to operate in California.[20] Providers of only nomadic interconnected VoIP are subject to the Commission's jurisdiction for rules of general applicability and preempted from licensing requirements that act as barriers to market entry; these providers must obtain a nomadic registration to operate in California.[21]

Applicant provides fixed interconnected VoIP services through a third-party service provider. Greenfield is a telephone corporation and a public utility subject to the Commission's jurisdiction.

## 5. Proposed Construction and California Environmental Quality Act (CEQA) Compliance

Applicant proposes to provide non-facilities-based service. Pursuant to CEQA[22] and Rule 2.4 of the Commission's Rules of Practice and Procedure (Rules), the Commission acts as the designated lead agency to consider the environmental consequences of projects that are subject to the Commission's approval, to determine any potential environmental impacts, to avoid adverse effects, investigate alternatives, and ensure that any affected environmental impact is restored or otherwise mitigated to the fullest extent possible under CEQA. Since Greenfield states that it does not intend to construct any facilities, it

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[19] Pub. Util. Code §§ 216, 233, 234; D.22-10-021 at 68; D.24-11-003 at 003.

[20] D.24-11-003.

[21] *Ibid*.

[22] Public Resources Code § 21000 *et seq*.

can be seen with certainty that there is no possibility that granting this application will have an adverse impact upon the environment.[23] Before it can construct facilities, Greenfield must file for additional authority and submit to any necessary CEQA review.

Granting this CPCN will benefit the public interest by expanding the availability of technologically advanced telecommunications services within the state.

## 6. Financial Qualifications

To be granted a CPCN for authority to provide non-facilities-based services, a new applicant must demonstrate that it has a minimum of $25,000 cash or cash equivalent, reasonably liquid and readily available to meet the firm's start-up expenses.[24] In the application, Greenfield provided three unaudited bank statements showing it had at least $25,000. Since Greenfield has provided documentation that it possesses a minimum of $25,000 that is reasonably liquid and available, it demonstrated that it has sufficient funds to meet its start-up expenses and fulfilled this requirement. Greenfield's financial documentation will be subject to verification and review by the Commission for one year to ensure that such funds are available. Accordingly, Greenfield must demonstrate that it maintains at least $25,000 that is reasonably liquid and available for its first year of operations by providing the Commission's Communications Division with a confidential copy of its updated financial

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[23] *See* D.99-10-025; D.24-11-003.

[24] The financial requirement for CLECs, NDIECs, and fixed interconnected VoIP providers is contained in D.24-11-003, Appendix F.

documentation at both six and 12 months from the issuance date of this decision by email to cdcompliance@cpuc.ca.gov.

In addition to demonstrating financial fitness, Greenfield must also demonstrate it has an additional $25,000 available for deposits to interconnect with local exchange carriers. Since Greenfield provided documentation of its ability to pay deposits, it has met its deposit requirement.

## 7. Technical Qualifications

To be granted a CPCN for authority to provide fixed interconnected VoIP, an applicant must make a reasonable showing of managerial and technical expertise in telecommunications or a related business.[25] Greenfield supplied biographical information on its management in Attachment 2 to its application that demonstrates it has sufficient expertise and training to operate as a telecommunications provider.

## 8. Certification Requirements

As part of the CPCN application process, applicants must attest that no one associated with or employed by Greenfield as an affiliate, officer, director, partner, or owner of more than 10 percent, or anyone acting in a management capacity:

> (a) held one of these positions with a company that filed for bankruptcy; (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; (c) been convicted of a felony; (d) been (to his/her knowledge) the subject of a criminal referral by judge or public agency; (e) had a telecommunications license

[25] D.95-12-056 at Appendix C, Rule 4.A as modified by D.13-05-035 and D.24-11-003.

> or operating authority denied, suspended, revoked, or limited in any jurisdiction; (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of [Sections] 17000 *et seq.,* [Sections] 17200 *et seq*., or [Sections] 17500 *et seq*. of the California Business & Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; or (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or (h) entered into any settlement agreements or made any voluntary payments or agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general.[26]

Any exceptions to the above must be identified and addressed in the CPCN application process. If applicants have anything to disclose, they mark "Not True" to the above attestation in the CPCN form, provide further detail on exceptions, and then attest that the above is otherwise true. Greenfield falsely certified that it met the requirements in D.13-05-035 OP 14 in violation of Rule 1.1.

### 8.1 Failure to Disclose Revocation of Prior CPCN U-6763-C

Greenfield failed to disclose the revocation of CPCN U-6763-C as required by the certification requirement in D.13-05-035 OP 14(e). As detailed above in section 1.2, CPCN U-6763-C was revoked by this Commission effective on April

[26] These certifications are required by D.13-05-035, OP 14; D.24-11-003.

21, 2018 due to Greenfield's failure to pay user fees.[27] Greenfield continued to operate after revocation of CPCN U-6763-C.

Accordingly, Greenfield cannot fully certify that no one associated with or employed by Greenfield has had a telecommunication license or operating authority denied, suspended, or limited in any jurisdiction.

Despite its inability to meet the certification requirements, Applicant has taken steps to bring itself into compliance with its interexchange service provider regulatory obligations by filing the underlying CPCN application, stipulating to the violation, agreeing to a penalty range for Commission consideration, and ensuring the continuity of timely remission of necessary fees and surcharges.[28] The Commission has confirmed that Greenfield does not have any outstanding public purpose program surcharges or fees under its prior operating license.

Greenfield's transparency as well as its willingness to take responsibility for its actions and take proactive steps to bring itself into regulatory compliance and remain in compliance support a grant of the requested CPCN authority to provide resold interexchange service in California.

After considering the detailed promises and planned measures to prevent future noncompliance with its regulatory obligations by implementing new accountability measures, we find that Greenfield's inability to meet the certification requirements of D.13-05-035 and D.24-11-003, as a result of inadvertently and unknowingly failing to disclose a prior revocation, should not

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[27] Resolution T-17597 App. A

[28] A.24-11-008, *Response of Greenfield Communications, Inc., 4.14.25;* RT 3-25-25, 17:1-13

prevent Greenfield from operating as a telephone corporation in California as a provider of fixed interconnected VoIP.

### 8.2 Penalty for Failure to Disclose Revocation of CPCN U-6763-C

Pursuant to Pub. Util. Code Sections 2107-2108, the Commission is authorized to impose a penalty on a regulated carrier for violating Commission rules or orders, such as for failure to disclose a prior revocation of its license. A failure to disclose a license revocation is a violation of the certification requirement in D.13-05-035, OP 14 and Rule 1.1. In D.24-11-003, the Commission found that "[p]erformance under other operating authority, whether current or past, is relevant to approving additional operating authority. Therefore, [D.24-11-003] establishes a requirement for the applicant to list other licenses, whether current or past, which the applicant obtained from the Commission."[29]

At the PHC held on March 25, 2025, Greenfield stipulated to a violation of Rule 1.1 of the Commission's Rules of Practice and Procedure for failing to disclose the revocation of its prior License U-6763-C as part of the certification made in its pending CPCN application.

Given that there are no facts in dispute, the only remaining question of fact is an appropriate penalty for the failure to disclose the revocation as part of the certification process. Greenfield agreed to the assigned ALJ's proposed waiving an order to show cause by allowing Greenfield to stipulate to a penalty range of

[29] D.24-11-003 at 47

$1-$4,000 offered by the assigned ALJ.[30] In assessing the reasonableness of a penalty amount, we apply the criteria set forth in D.98-12-075 for guidance, and evaluate: (1) the severity of the economic or physical harm resulting from the violation; (2) the utility's conduct to prevent, detect, disclose, and rectify the violation; (3) the utility's financial resources; (4) the public interest involved; (5) the totality of the circumstances; and (6) Commission precedents.

First, we consider the severity of offense. The size of the fine should be proportionate to the severity of the offense, based on the level of physical harm, economic harm, harm to the regulatory process, and the number and scope of violations. It is also appropriate to consider the size of the utility and the experience before the Commission.

Although Greenfield's violation did not involve physical harm, failing to disclose information necessary for the Commission to evaluate an application is a serious offense. The Commission requires specific information in applications to evaluate a company's fitness to serve in the role for which the company is applying and to protect the people of California. An applicant has a duty to fully and accurately disclose information requested and, upon Commission approval of A. 24-11-008, Greenfield must be aware of the requirements and legal obligations by which it must abide as a reasonable and prudent business. The Commission imposes a fine to express disapproval of Greenfield's inadvertent failure to disclose the revocation of CPCN in U-6763-C and the resulting harm to

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[30] RT 7-22-2025, 11:18-12:3.

the regulatory process. This will serve as a reminder to Greenfield of the seriousness of violating Commission regulations.

Second, we consider the utility's conduct to prevent, detect, disclose, and rectify the violation. Greenfield was unaware of the violation and did not try to prevent, detect, or rectify the violation between 2018, when its license was revoked, and 2024, when it filed the instant application. Subsequent to that, Greenfield has shown a willingness to comply with regulations and to work to correct deficiencies in an expedited manner. Greenfield has cooperated with the Commission, has willingly provided requested documents, and has no other history of violations. Greenfield has agreed to comply with all Commission rules, orders, and decisions. Greenfield has stipulated to a Rule 1.1 violation and agreed to a Commission proposed penalty range, which will avoid further litigation.

Third, we consider the utility's financial resources. Greenfield provided unaudited financial documents to support an assessment of its financial resources. The Commission has reviewed the financial resources and finds that the fine imposed should be sufficient deterrence of future violations by Greenfield as a regulated utility with modest financial means. Effective deterrence requires that the size of a fine reflects the financial resources of the utility. Greenfield is a small company that only services 224 interconnected VoIP customers as a courtesy to internet customers in private communities. As the age group and demographics of the community changes, Greenfield is losing interconnected VoIP customers. Greenfield has little revenue compared to some of the large entities that the Commission regulates. The penalty range being considered is a substantial payment for a company of Greenfield's size and financial condition, and is a sufficient deterrence of future violations by Greenfield.

Fourth, we consider the public interest. Imposing a penalty furthers the public interest by encouraging compliance with our regulations and furthers the policy of favoring the settlement of disputes to avoid costly and protracted litigation by eliminating the need for both Greenfield and the Commission to participate in evidentiary hearings and preparation of briefs on the issue. Greenfield's stipulation of the Rule 1.1 violation and agreement to a penalty range conserves the resources of the Commission and Parties and thus serves the public interest.

Fifth, we consider the totality of the circumstances. In D.98-12-075, the Commission held that a fine should be tailored to the unique facts of the case.[31] Here, Greenfield's failure to disclose information on its application is a serious offense, but the degree of wrongdoing is not egregious. Greenfield's representative states that it applied for a CPCN in 2002 in preparation for providing services that required a CPCN license.[32] During the PHC, Greenfield stated it was unaware of the CPCN license revocation in 2018 because Greenfield did not need the license and had never used it.[33] The omission on Greenfield's application appears to be inadvertent and Greenfield has been actively

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[31] D.98-12-075 at 39.

[32] RT 3-25-2025, 16:6-22, 24:12-15

[33] *Ibid*.

cooperating to rectify the effects of the omission. Also, Greenfield noted that fees for its telecommunications services were always paid by a third party and Greenfield's current desire to pay their own fees for telecommunications services is a motivating factor behind Greenfield's present application. Finally, Greenfield only services 224 VoIP customers and it indicated that the customer base is decreasing. When assessing the unique facts of each case, the Commission stated in D.98-12-075 it would consider the degree of wrongdoing, wherein the Commission will review the facts that tend to mitigate the degree of wrongdoing as well as facts that exacerbate the wrongdoing.[34] In all cases, the harm will be evaluated from the perspective of the public interest. Given the scope of the violation and the facts of this proceeding, the amount of the penalty range is reasonable. In total, this is a substantial and reasonable fine in furtherance of public interest.

Lastly, we consider Commission precedent. There are instances where the Commission has imposed penalties for failing to disclose information on CPCN applications. In D.23-11-093, the Commission approved a settlement agreement imposing a $7,000 penalty in a proceeding where the party failed to disclose two prior bankruptcy proceedings involving the present CEO's prior company.[35] Here, Greenfield only failed to disclose one violation. Moreover, in D.10-07-023, the Commission imposed a $5,000 fine based on the applicant's failure to disclose

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[34] D.98-12-075 at 39.

[35] D.23-11-093 at 10, "Dagobah's president had twice previously filed for bankruptcy, and one of the two bankruptcies was affiliated with the president's prior position as CEO of The 4 Sale Hotline."

a previous bankruptcy of an affiliate and multiple regulatory violations by the party's affiliates. Unlike Greenfield's proceeding, the offending party in D.10-07-023 failed to disclose that its affiliates had multiple regulatory problems and had their certifications revoked or cancelled in multiple states. In D.25-09-015, the Commission issued a penalty of $5,000 for the applicant's inadvertent failure to disclose a citation as part of their certification requirement. Greenfield's inadvertent failure to disclose its license revocation is slightly more serious than the applicant in D.25-09-015's inadvertent failure to disclose a citation, though we note that the applicant in D.25-09-015 was an affiliate of an Incumbent Local Exchange Carrier (ILEC) and had substantially more financial resources than Greenfield.

Considering the factors in D.98-12-075, we find the penalty amount of $4,000 reasonable in light of the record as a whole. Weighing the severity of the offense, the penalty is reasonable to express disapproval of Greenfield's inadvertent failure to disclose a prior license revocation. While Greenfield could have prevented the omission, it has subsequently cooperated with the Commission, has willingly provided requested documents, and has no prior history of violations. This penalty is in the public interest as it is a sufficient deterrent for a company of Greenfield's size given the factual circumstances of this proceeding. The factual circumstances discussed herein distinguish Greenfield's violation from other violations that have necessitated a larger penalty amount. Thus, the penalty of $4,000 is consistent with Commission precedent given the circumstances of this proceeding and reasonable in light of the record.

## 9. Tariffs

Competitive Local Exchange Carriers (CLECs), Interexchange Carriers (IECs), and fixed interconnected VoIP providers requesting detariffed status may be exempt from the requirement to file tariffs provided they do not provide basic service as defined by D.12-12-038 and comply with the consumer protection rules identified in D.98-08-031.

Greenfield indicated it will not offer services that require a tariff or schedule and therefore detariffed status is granted.

In the future, if Greenfield decides to offer services that require a tariff or schedule, such as basic service, Applicant must submit proposed tariffs and/or user guides to the Commission's Communications Division by Tier 2 Advice Letter, using the General Order 96B advice letter process, at least 30 days before initiation of service.[36]

## 10. Service Territory and Map Requirements

When service is provided in small LEC territories, CLECs and fixed interconnected VoIP providers are required to comply with applicable rules set in D.20-08-011, as extended to VoIP providers in D.24-11-003. Since Greenfield proposes to provide fixed interconnected VOIP services in California, which impact the service territories in small LEC service territories, Greenfield is subject to the applicable requirements in D.20-08-011 when offering services in small LEC service territories.

## 11. Safety Considerations

[36] D.12-12-038.

With the adoption of the *Safety Policy Statement of the California Pub. Util. Commission* on July 10, 2014, the Commission has, among other things, heightened its focus on the potential safety implications of every proceeding. The Commission considered the potential safety implications here and is satisfied that Greenfield will meet the Commission's minimum safety goals and expectations of interconnected VoIP providers because: (1) Greenfield has taken steps to meet the financial requirements as set forth in this decision for a fixed interconnected VoIP provider, and (2) Greenfield is a public utility that is required pursuant to Pub. Util. Code Section 451 to "… furnish and maintain such adequate, efficient, just and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities … as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public."

## 12. Conclusion

Greenfield's application conforms with the Commission's rules for certification as a fixed interconnected VoIP provider. Accordingly, the Commission grants Greenfield a CPCN to provide non-facilities-based fixed interconnected VoIP services throughout California[37] subject to compliance with the terms and conditions set forth in the Ordering Paragraphs.

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[37] Operations throughout California covers the service territories of the Uniform Regulatory Framework (URF) Incumbent Local Exchange Carriers (ILECs) and the General Rate Case (GRC) Incumbent Local Exchange Carriers (also known as Small ILECs).

The CPCN granted by this decision provides benefits to Greenfield and corresponding obligations. Greenfield receives authority to operate in the prescribed service territory, and this authority enables Greenfield, pursuant to Section 251 of the 1934 Communications Act, as amended by the 1996 Telecommunications Act (47 U.S.C. Section 251), to interconnect with telecommunications carriers.[38]

In return, Greenfield is obligated to comply with all Pub. Util. Code provisions, Commission rules, GOs, and decisions applicable to telephone corporations providing approved services. The applicable statutes, rules, GOs, and decisions include, but are not limited to consumer protection rules, tariffing, and reporting requirements. Moreover Greenfield is obligated to pay all Commission prescribed user fees and public purpose program surcharges as set forth in the Appendix B of this decision, to comply with CEQA, and to adhere to Pub. Util. Code Section 451 which states that every public utility "…shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities, including telephone facilities, as defined in Section 54.1 of the Civil Code, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public." Granting this application will benefit the public interest by expanding the availability of technologically advanced telecommunications services within the state.

[38] The California Pub. Util. Code uses the term "telephone corporation." Its counterpart in federal law is a "telecommunications carrier."

## 13. Additional Requirements for Applicants Following Commission's Grant of CPCN

The CPCN granted in this decision is contingent upon Greenfield's compliance with several requirements: (1) rendering service to customers within 12 months from the effective date of this decision; (2) using its assigned corporate identification number in the caption of all original filings with the Commission; (3) filing in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision; (4) providing the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the Commission's Communications Division within five days of written acceptance of its certificate; (5) providing the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving consumer complaints to the Commission's Consumer Affairs Branch within five days of written acceptance of its certificate; (6) submitting a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond within 30 days of the effective date of this decision; (7) submitting its compliance with Public Utilities Code Section 708, Employee Identification Cards, to the Commission's Director of the Communications Division, in writing, by email to cdcompliance@cpuc.ca.gov, within 60 days of the effective date of this decision; (8) providing the date that competitive local exchange service is first rendered to the public, to the Commission's Director of the Communications Division, in writing, by email to cdcompliance@cpuc.ca.gov, no later than five days after service first begins. These requirements are in addition to Greenfield's ongoing obligation to be subject to all the current requirements applicable to CLECs, IECs, and fixed interconnected VoIP providers included in Attachments B, C, and D to this decision (including annual affiliate transaction reports, ongoing performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in General Order 168; and all applicable Commission rules, decisions, General Orders, and statutes that pertain to California public utilities on an ongoing basis.

## 14. Confidential Treatment of Documents and Other Procedural Matters

Greenfield provided financial documents as listed in D.24-11-003, Appendix F: in unaudited bank statements submitted confidentially. These documents are granted confidential treatment for a period of three years without the need to file a motion for confidential treatment of the aforementioned documents.[39] During this three-year period, this information shall not be publicly disclosed except on further Commission order or Administrative Law Judge ruling. If Greenfield believes that it is necessary for this information to remain under seal for longer than three years, Greenfield may file a motion showing good cause for extending this order no later than 30 days before the expiration of the grant of confidentiality.

All rulings by the assigned Commissioner and the assigned ALJ are affirmed. All pending motions are deemed denied.

## 15. Summary of Public Comments

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online

[39] D.24-11-003 at 48-54; GO 66-D; Cal. Constitution Article 3, subdivision (b)(2).

Docket Card for that proceeding on the Commission's website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

No public comments have been submitted.

## 16. Comments on Draft Decision

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Pub. Util. Code and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

## 17. Assignment of Proceeding

Darcie L. Houck is the assigned Commissioner and Theresa Moore is the assigned ALJ in this proceeding.

## Findings of Fact

1. Greenfield is a stock corporation authorized to do business in California.

2. Greenfield's principal place of business is 34112 Violet Lantern, Suite C, Dana Point, CA 92629.

3. Greenfield proposes to provide non-facilities-based fixed interconnected VoIP services.

4. Granting this CPCN will expand the availability of technologically advanced telecommunications services within the state.

5. Greenfield has a minimum of $25,000 of cash or cash equivalent that is reasonably liquid and readily available to meet its start-up expenses.

6. Greenfield has an additional $25,000 to cover deposits that may be required by other telephone corporations in order to provide the proposed service.

7. Greenfield management possesses sufficient experience, knowledge, and technical expertise to provide fixed interconnected VoIP services to the public.

8. Greenfield previously held CPCN License U-6763-C, which authorized it to operate as a CLR, IER, and CLC.

9. CPCN U-6763-C was revoked effective April 21, 2018, for failure to remit the required user fees.

10. Greenfield continued to operate after revocation of CPCN U-6763-C, providing fixed interconnected VoIP services in California without a CPCN or current registration license from 2018 to the present date.

11. Greenfield is in compliance with all public purpose program surcharges and user fee obligations.

12. The regulatory framework for interconnected VoIP carriers was recently adopted by the Commission in D.24-11-003, and Greenfield's application was filed within the 180-day grace period allowed by this decision for interconnected VoIP applicants to obtain a CPCN.

13. Greenfield failed to disclose the revocation of CPCN of U-6763-C in its application. Its failure to do so was out of compliance with D.13-05-035, OP 14 and rendered Greenfield's original attestation and verification inaccurate.

14. There is no evidence that Greenfield's failure to disclose the revocation was intentional, but there is harm to the regulatory process.

15. It is important for regulated utilities to have and employ effective processes for ensuring regulatory compliance.

16. Greenfield stipulated to a maximum penalty of $4,000 for failure to disclose the revocation of prior CPCN U-6763-C as part of its certification requirement.

17. Greenfield has planned measures to ensure it remains in compliance in the future.

18. Greenfield cannot attest that no one associated with or employed by Greenfield as an affiliate, officer, director, partner, agent, or owner (directly or indirectly) of more than 10 percent of Greenfield, or anyone acting in a management capacity for Greenfield knowingly: (a) held one of these positions with a company that filed for bankruptcy; (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; (c) been convicted of a felony; (d) been the subject of a criminal referral by judge or public agency; (e) had a telecommunications license or operating authority denied, suspended, revoked, or limited in any jurisdiction; (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of Section 17000 et seq., Section 17200 et seq., or Section 17500 et seq. of the California Business & Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or (h) entered into any settlement agreements or made any voluntary payments or

agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general.

19. Greenfield cannot attest that to the best of Greenfield's knowledge, neither Greenfield or any affiliate, officer, director, partner, nor owner of more than 10 percent of Greenfield, or any person acting in such capacity whether or not formally appointed, is being, or has been investigated by the FCC or any law enforcement or regulatory agency for failure to comply with any law, rule or order.

20. Greenfield is eligible for exemption from tariffing requirements and must observe the consumer protection rules adopted in D.98-08-031 and D.24-11-003, as well as D.20-08-011, when operating in small LEC territories.

21. Greenfield proposes to operate throughout California.

22. Greenfield will meet the Commission's minimum safety goals.

23. Greenfield filed documents which have a presumption of confidentiality pursuant to D.24-11-003 and GO 66-D in submitted unaudited bank statements.

## Conclusions of Law

1. Greenfield should be granted a CPCN to provide non-facilities-based fixed interconnected VoIP services throughout California, subject to the terms and conditions set forth in this decision.

2. Greenfield is a telephone corporation and a public utility as defined in Pub. Util. Code Sections 234(a) and 216(a).

3. Greenfield may not construct any facilities, including equipment in existing buildings or structures.

4. Greenfield should pay a penalty of $4,000 for failure to disclose revocation of CPCN U-6763-C within 30 days of the issuance date of this decision. Payment should be made by check or money order, by mail or in-person delivery to California Public Utilities Commission, Fiscal Office, Room 3000, 505 Van Ness Avenue, San Francisco, CA 94102. Greenfield should include on the check a written identification stating the decision number and the application number, such as the following: "Per Decision 26-03-026 of A.24-11-008."

5. Greenfield should email the Commission's Communication Division of payment after payment of the penalty at cdcompliance#cpuc.ca.gov.

6. Failure to remit the penalty amount owed within 90 days of the payment deadline will result in additional collections or enforcement action against Greenfield.

7. Granting Greenfield a CPCN is in the public interest.

8. Greenfield meets the financial requirements for a CPCN pursuant to D.24-11-003.

9. Greenfield should demonstrate that it maintains at least $25,000 that is reasonably liquid and available for its first year of operations by providing the California Public Utilities Commission's Communications Division with a confidential copy of its updated financial documentation at both six and 12 months from the issuance date of this decision by providing updated bank statements within eight and 14 months, respectively, as an information-only submittal by email to cdcompliance@cpuc.ca.gov.

10. Greenfield meets the technical managerial requirements for a CPCN pursuant to D.13-05-013 and D.24-11-003.

11. Greenfield meets the certification requirements for a CPCN pursuant to D.13-05-013 and D.24-11-003.

12. Greenfield should be granted an exemption from the requirement to file tariffs.

13. Greenfield is exempt from tariffing. In the future, if Greenfield decides to offer services that require a tariff or schedule, such as basic service, Greenfield should submit proposed tariffs and/or user guides to the Commission's Communications Division via Tier 2 Advice Letters using the General Order 96-B advice letter process at least 30 days before initiation of service.

14. The certificate granted, and the authority for Greenfield to render service to customers under the rates, charges, and rules authorized, should expire if not exercised, by offering or actively providing service on a wholesale and/or resale basis, after 12 months from the effective date of this decision. Greenfield should be responsible for seeking approval for an extension of time to comply with this decision pursuant to Rules of Practice and Procedure Rule 16.6.

15. Greenfield should be assigned utility identification number U-7486-C and should be responsible for using this as its corporate identification number in the caption of all original filings with this Commission, in the titles of other pleadings filed in existing cases, and informal submissions to the Commission.

16. Greenfield should file in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision. The written acceptance filed in this docket does not reopen the proceeding.

17. Greenfield should provide the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the California Public Utilities Commission's Communications Division within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information.

18. Greenfield should provide the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving consumer complaints to the California Public Utilities Commission's Consumer Affairs Branch within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information

19. Greenfield should submit a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond in accordance with the process established in D.10-09-017/D.11-09-026 and modified by D.13-05-035 and Decision 24-11-003 to the California Public Utilities Commission's Communications Division within 30 days of the effective date of this decision. Refer to Attachment B for additional information related to updating contact information.

20. Greenfield should submit its compliance with Public Utilities Code Section 708, Employee Identification Cards, to the California Public Utilities Commission's Director of the Communications Division, in writing, by email to cdcompliance@cpuc.ca.gov, within 60 days of the effective date of this decision.

21. Greenfield should be subject to all the current requirements applicable to fixed interconnected Voice over Internet Providers included in Attachments B, C, and D to this decision (including annual affiliate transaction reports, ongoing

performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in General Order 168; and all applicable California Public Utilities Commission rules, decisions, General Orders, and statutes that pertain to California public utilities on an ongoing basis.

22. Greenfield's financial documents should be kept under seal for a period of three years from the issuance date of this decision, pursuant to D.24-11-003.

23. All rulings by the assigned Commissioner and the assigned ALJ should be affirmed.

24. All pending motions should be deemed denied.

25. Application 24-11-21 should be closed.

## O R D E R

**IT IS ORDERED** that:

1. A Certificate of Public Convenience and Necessity is granted to Greenfield Communications, Inc.  to provide non-facilities-based fixed interconnected Voice over Internet Protocol services throughout California subject to the terms and conditions set forth in this decision.

2. Greenfield may not construct any facilities, including equipment in existing buildings or structures.

3. Greenfield shall pay a penalty of $4000 within 30 days of the issuance date of this decision. Payment shall be made by check or money order payable to the California Public Utilities Commission and mailed or delivered to the Commission's Fiscal Office at 505 Van Ness Avenue, San Francisco, CA 94102.

Greenfield shall write on the face of the check or money order "For deposit to the General Fund per Decision 26-03-026."

4. Greenfield shall inform the California Public Utilities Commission Communications Division by email at cdcompliance@cpuc.ca.gov upon payment of the penalty.

5. Greenfield Communications, Inc. shall be subject to additional collection or enforcement action in the event it fails to pay the penalty within 90 days of the payment deadline.

6. Greenfield Communications, Inc. must demonstrate that it maintains at least $25,000 that is reasonably liquid and available for its first year of operations by providing the California Public Utilities Commission's Communications Division with a confidential copy of its updated financial documentation at both six and 12 months from the issuance date of this decision by providing updated bank statements within eight and 14 months, respectively, as an information-only submittal by email to cdcompliance@cpuc.ca.gov.

7. Greenfield Communications, Inc., may operate on a detariffed basis. In the future, if Greenfield Communications, Inc. decides to offer services that require a tariff or schedule, such as basic service, Greenfield must submit proposed tariffs and/or user guides to the California Public Utilities Commission's Communications Division via a Tier 2 Advice Letter using the General Order 96-B process at least 30 days before initiation of service.

8. The certificate of public convenience and necessity granted, and the authority for Greenfield Communications, Inc. to render service to customers under the rates, charges, and rules authorized, will expire if not exercised, by

offering or actively providing service on a wholesale and/or resale basis, after 12 months from the effective date of this decision. Greenfield Communications, Inc. is responsible for seeking approval for an extension of time to comply with this decision pursuant to Rules of Practice and Procedure Rule 16.6.

9. Greenfield Communications, Inc. is assigned utility identification number U-7486-C and is responsible for using this as its corporate identification number in the caption of all original filings with the California Public Utilities Commission (Commission), in the titles of other pleadings filed in existing cases, and informal submissions to the Commission.

10. Greenfield Communications, Inc. shall file in this docket a written acceptance of the certificate granted in this proceeding within 30 days of the effective date of this decision. The written acceptance filed in this docket does not reopen the proceeding.

11. Greenfield Communications, Inc. shall provide the name, address, e-mail address, and telephone number of its designated primary regulatory/official contact person to the California Public Utilities Commission's Communications Division within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information.

12. Greenfield Communications, Inc. shall provide the name, address, e-mail address, and telephone number of its designated contact person for purposes of resolving consumer complaints to the California Public Utilities Commission's Consumer Affairs Branch within five days of written acceptance of its certificate. Refer to Attachment B for additional information related to updating contact information.

13. Greenfield Communications, Inc. shall submit a Tier 1 Advice Letter containing a copy of the license holder's executed performance bond in accordance with the process established in Decision (D.) 10-09-017/D.11-09-026 and modified by D.13-05-035 and D.24-11-003 to the California Public Utilities Commission's Communications Division within 30 days of the effective date of this decision. Refer to Attachment B for additional information on annual performance bond requirements.

14. Greenfield Communications, Inc. shall submit its compliance with Public Utilities Code Section 708, Employee Identification Cards, to the California Public Utilities Commission's Director of the Communications Division, in writing, by email to cdcompliance@cpuc.ca.gov, within 60 days of the effective date of this decision.

15. Greenfield Communications, Inc. is subject to all the current requirements applicable to fixed interconnected Voice over Internet Providers included in Attachments B, C, and D to this decision (including annual affiliate transaction reports, ongoing performance bond requirements, and payment of surcharges and user fees); all Consumer Protection Rules contained in General Order 168; and all applicable California Public Utilities Commission rules, decisions, General Orders, and statutes that pertain to California public utilities on an ongoing basis.

16. Confidential Treatment of Greenfield Communications, Inc., unaudited bank statements is granted for a period of three years after the date of this decision, pursuant to Decision 24-11-003. During this three-year period, this information shall not be publicly disclosed except on further Commission order

or Administrative Law Judge ruling. If Greenfield Communications, Inc. believes that it is necessary for this information to remain under seal for longer than three years, Greenfield Communications, Inc. may file a motion showing good cause for extending this order by no later than 30 days before the expiration of this order.

17. All rulings by the assigned Commissioner and the assigned Administrative Law Judge are affirmed.

18. All pending motions are deemed denied.

19. Application 24-11-008 is closed.

This order is effective today.

Dated March 19, 2026, at Sacramento, California.

JOHN REYNOLDS
President
DARCIE L. HOUCK
KAREN DOUGLAS
MATTHEW BAKER
CHRISTINE HARADA
Commissioners

# ATTACHMENT A

# ATTACHMENT A

## TARIFF DEFICIENCIES

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**(END OF ATTACHMENT A)**

# ATTACHMENT B

## ATTACHMENT B

## TELEPHONE CORPORATION REQUIREMENTS APPLICABLE TO PROVIDERS OF COMPETITIVE LOCAL EXCHANGE CARRIERS, INTEREXCHANGE CARRIERS AND FIXED INTERCONNECTED VOIP CARRIERS (Carrier)

1. Carrier is subject to all the current applicable California Public Utilities Commission (CPUC or Commission) rules, decisions, General Orders, and statutes that pertain to California public utilities and telephone corporations on an ongoing basis.

2. Carrier is responsible for rendering services to customers under the rates, charges and rules authorized by the Commission within 12 months from the date of the decision. Rendering services may include but are not limited to offering and/or actively providing services to its customers on a wholesale and/or resale basis.

3. Carrier is responsible for keeping all contact information up to date with the Commission. Changes to its primary regulatory and/or complaint contact information must be updated in the Commission's TUFFS portal within 30 days of any change or at least annually by June 1 of each calendar year. Additionally, information on accessing TUFFS is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees

4. Carrier is subject to California public purpose program surcharges and user fees. Pursuant to Decision (D.) 22-10-021, as modified by D.24-11-003, all telephone corporations operating in

California must assess, collect, report and remit public purpose program surcharges based on the number of active access lines. For definition of access line, see Section 5.2.2 of D.22-10-021. The surcharge funds the following California public purpose programs:

a. The Universal Lifeline Telephone Service Trust Administrative Committee Fund (Pub. Util. Code § 277);

b. The California Relay Service and Communications Devices Fund (Pub. Util. Code § 2881; D.98-12-073);

c. The California High Cost Fund-A (Pub. Util. Code § 275.6); D.96-10-066, at 3-4, App. B, Rule 1.C);

d. The California High Cost Fund-B (Pub. Util. Code § 276.5), D.96-10-066, at 191, App. B, Rule 6.F.; D.07-12-054);

e. The California Advanced Services Fund (Pub. Util. Code § 281; D.07-12-054); and

f. The California Teleconnect Fund (Pub. Util. Code § 280; D.96-10-066, at 88, App. B, Rule 8.G).

User Fees must be assessed and collected based on intrastate telecommunications revenues. The User Fee funds the CPUC's annual operating budget for regulating the telecommunications corporations under its jurisdiction (Pub. Util. Code §§ 431-435). Pursuant to D.24-11-003, Interconnected VoIP service providers operating in California are subject to User Fees, starting on July 1, 2025.

5. Carrier is responsible for obtaining guidance and directive from the Commission's Communications Division for timely reporting and remitting of public purpose program surcharges and the user fees through the Commission's proprietary Telecommunications and User Fee Filing System (TUFFS).

Additional information about telecommunications surcharges and user fees is available from the CPUC website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees.

6. Carrier is responsible for timely and accurately reporting its number of access lines and remitting the resulting public purpose program surcharges through TUFFS even if there is zero access line to report and zero resulting surcharges to remit. Carriers that report and/or remit surcharge funds after the due date will be charged a penalty equal to an annual rate of 10 percent. Send an email to Telcosurcharge@cpuc.ca.gov for questions related to surcharges and access to TUFFS. Current and historical surcharge rates is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees/surcharge-rates.

7. Carrier is responsible for timely and accurately reporting and remitting the user fees based on a standard user fee remittance rate applied to the gross intrastate revenue or an annual minimum user fee of $100, whichever is greater. The user fee remittance rate is determined annually by the Commission and posted on the Commission's webpage. The reporting and remittance of user fees must be through TUFFS within 15 days after the end of each calendar quarter (March 31, June 30 and September 30, and December 31) or January 15 due date for those paying the annual minimum user fee of $100. TUFFS will automatically adjust the minimum user fee amount due to $100 when the annual gross intrastate revenue is zero ($0) or less than the annual minimum user fee of $100. Under Pub. Util. Code Section 405, carriers that are in default of reporting and submitting user fees more than 30 days after the quarterly user fee payment due

dates of April 15, July 15, October 15, and January 15, or more than 30 days after the January 15 due date for those utilities paying the annual minimum user fee of $100, will be subject to automatic penalties including suspension or revocation of their authority to operate in California. Pursuant to D.24-11-003, Interconnected VoIP service providers operating in California are subject to User Fees, starting on July 1, 2025. Send an email to userfees@cpuc.ca.gov for questions related to user fees. Send an email to userfees@cpuc.ca.gov for questions related to user fees. Current and historical user fee rates is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/telecommunications-surcharges-and-user-fees/user-fee-rates.

8. In compliance with Resolution T16901, December 2, 2004, Carrier is responsible for checking the joint tariff for public purpose program surcharges and user fees filed by Pacific Bell Telephone Company dba AT&T California and apply the current public purpose program surcharges and user fees amounts in that joint tariff on end user bills until further revised.

9. Carrier is responsible for ensuring that its tariff filings reflect all surcharges and fees to which it is subject to, as identified above.

10. If Carrier is a provider of interexchange services, competitive local exchange services and/or fixed interconnected VoIP services,, the effectiveness of its future nondominant carrier tariffs, if applicable, is subject to the requirements of General Order 96-B and the Telecommunications Industry Rules (D.07-09-019).

11. If Carrier is a non-dominant interexchange carrier, the effectiveness of its future non-dominant interexchange carrier tariffs is subject to the requirement of General Order 96-B and the Telecommunications Industry Rules (D.07-09-019).

12. Carrier providing competitive local exchange service is responsible for submitting a service area map as part of its initial tariff filed via Advice Letter to the Communications Division.

13. Carrier is responsible for submitting a copy of its complete tariff in use to the California Public Utilities Commission's Director of the Communications Division, by e-mail to cdcompliance@cpuc.ca.gov, in compliance with Public Utilities Codes Section 489(a), no later than February 15 of each year. Additional information is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/tariff-filing-requirements.

14. Carrier is responsible for obtaining a performance bond of at least $25,000 in accordance with Decision 13-05-035 and D.24-11-003. Within 30 calendar days after the effective date of CPCN authority, carrier is required to submit a Tier-1 advice letter to the Director of the Communications Division via TD._PAL@cpuc.ca.gov with a copy of the license holder's executed performance bond. The performance bond must be a continuous bond *(i.e.*, there is no termination date on the bond) issued by a corporate surety company authorized to transact surety business in California, and the Commission must be listed as the obligee on the bond. Requests for an extension of time to submit the initial performance bond must be submitted to the Director of the Communications Division via email at cdcompliance@cpuc.ca.gov within 30 days of the effective date of this decision using the performance bond filing extension form is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/performance-bond-

requirements. Pursuant to Decision 13-05-035, the Commission must revoke a certificate of public convenience and necessity if a carrier is more than 120 days late in providing the Communications Division a copy of its executed performance bond and the carrier has not been granted an extension of time by the Communications Division.

15. Carrier is required to submit a Tier-1 Advice Letter on an annual basis, no later than March 31 of each year, with a copy of the executed performance bond. Carrier is responsible for ensuring that its performance bond does not lapse during any period of its operation. Additional information regarding performance bond requirement is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/performance-bond-requirements.

16. Carrier is responsible for ensuring that its employees comply with the provisions of Pub. Util. Code Section 2889.5 regarding solicitation of customers.

17. If Carrier is 90 days or more late in complying with its reporting obligations to the Commission including but not limited to filing its annual reports (e.g., Operations and Financials, and Affiliated Transaction Reports), submitting Performance Bonds, reporting and remitting surcharges and user fees; and has not received written permission from the Commission or Communications Division to file or remit late, the Communications Division may issue a citation pursuant to Resolution T-17601. Failure to comply with the issued citation or timely appeal the citation may result in a revocation of the company's operating authority and/or a referral to the Commission's Consumer Protection

and Enforcement Division for enforcement action, which could result in additional fines, penalties, or other sanctions.

18. Carrier is exempt from Rule 3.1(b) of the Commission's Rules of Practice and Procedure.

19. Carrier is exempt from Pub. Util. Code Sections 816-830.

20. If Carrier decides to discontinue service or file for bankruptcy, it must immediately notify the California Public Utilities Commission's Director of the Communications Division, by e-mail to cdcompliance@cpuc.ca.gov.

**(END OF ATTACHMENT B)**

# ATTACHMENT C

**ATTACHMENT C**

**ANNUAL REPORT**

In addition to the annual reports requirement pursuant to General Order 104-A, Telephone Corporations must submit the following information electronically to the Commission's Communications Division using the Annual Operational and Financial Information Report Form[40] via email to cdcompliance@cpuc.ca.gov no later than March 31st of the year following the calendar year for which the annual report is submitted.

Failure to submit this information on time may result in a penalty as provided for in Pub. Util. Code Sections 2107 and 2108.

Required information:

1. Exact legal name and Utility ID number of the reporting utility.
2. Address of the reporting utility.
3. Name, title, address, and telephone number of the person to be contacted concerning the reported information.
4. Name and title of the officer having custody of the general books of account and the address of the office where such books are kept.
5. Type of organization (*e.g.*, corporation, partnership, sole proprietorship, etc.).

   If incorporated, specify:

   a. Date of filing articles of incorporation with the Secretary of State.
   b. State in which incorporated.

6. Number and date of the Commission decision granting the Certificate of Public Convenience and Necessity.
7. Date operations were begun.

[40] An Annual Operations and Financial Information Report form (in PDF format) has been developed to help facilitate the submission of this reporting obligation and available from the CPUC website: https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/licensing-compliance/annual-reporting-requirements/aropfi.pdf

8. Description of other business activities in which the utility is engaged.
9. List of all affiliated companies and their relationship to the utility. State if affiliate is a:
   a. Regulated public utility.
   b. Publicly held corporation.
10. Balance sheet as of December 31st of the year for which information is submitted.
11. Income statement for California operations for the calendar year for which information is submitted.

Additional information about the reporting requirements is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/annual-report-forms. For any questions concerning this report, please send an email to cdcompliance@cpuc.ca.gov with a subject line that includes: "CD Annual Reports."

**(END OF ATTACHMENT C)**

# ATTACHMENT D

## ATTACHMENT D

## CALENDAR YEAR AFFILIATE TRANSACTION REPORT

Telephone Corporations must submit the following information electronically the Commission's Communications Division using the Annual Affiliate Transaction Report Form[41] via email to cdcompliance@cpuc.ca.gov no later than May 1st of the year following the calendar year for which the annual affiliate transaction report is submitted.

Failure to submit this information on time may result in a penalty as provided for in Pub. Util. Code §§ 2107 and 2108.

1. Each utility must list and provide the following information for each affiliated entity and regulated subsidiary that the utility had during the period covered by the Annual Affiliate Transaction Report.
    - Form of organization (*e.g.*, corporation, partnership, joint venture, strategic alliance, etc.);
    - Brief description of business activities engaged in;
    - Relationship to the utility (e.g., controlling corporation, subsidiary, regulated subsidiary, affiliate);
    - Ownership of the utility (including type and percent ownership)
    - Voting rights held by the utility and percent; and
    - Corporate officers.

2. The utility must prepare and submit a corporate organization chart showing any and all corporate relationships between the utility and its affiliated entities and regulated subsidiaries in item 1 above. The chart must have the controlling corporation (if any) at the top of the chart, the utility and any

[41] An Annual Affiliate Report form (in PDF format) has been developed to help facilitate the submission of this reporting obligation and available from the CPUC Website: https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/licensing-compliance/annual-reporting-requirements/annual-affiliate-transaction-report-form_.pdf.

subsidiaries and/or affiliates of the controlling corporation in the middle levels of the chart, and all secondary subsidiaries and affiliates (*e.g.*, a subsidiary that in turn is owned by another subsidiary and/or affiliate) in the lower levels. Any regulated subsidiary must be clearly noted.

3. For a utility that has individuals who are classified as "controlling corporations" of the competitive utility, the utility must only report under the requirements of item 1 and item 2 above any affiliated entity that either (a) is a public utility or (b) transacts any business with the utility filing the annual report excluding the provision of tariff services.

4. Each annual report must be signed by a corporate officer of the utility stating under penalty of perjury under the laws of the State of California (CCP 2015.5) that the annual report is complete and accurate with no material omissions.

5. Any required information, documents, or other material that a utility is unable to provide must be reasonably described and the reasons they cannot be obtained, as well as the efforts expended to obtain them, must be set forth in the utility's Annual Affiliate Transaction Report and verified in accordance with Section I-F of Decision 93-02-019.

6. Utilities that do not have affiliated entities must submit, in lieu of the annual transaction report, an annual statement to the Commission stating that the utility had no affiliated entities during the report period. This statement must be signed by a corporate officer of the utility, stating under penalty of perjury under the laws of the State of California (CCP 2015.5) that the annual report is complete and accurate with no material omissions.

Additional information about the reporting requirements is available from the CPUC Website: https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-reporting-requirements/annual-report-forms. For any questions concerning this report, please send an e-mail to cdcompliance@cpuc.ca.gov with a subject line that includes: "CD Annual Reports."

**(END OF ATTACHMENT D)**