

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking
Proceeding to Consider Changes to
Requirements on Video Franchisees
Under the Digital Infrastructure and
Video Competition Act, and Revisions
to General Order 169.

Rulemaking 23-04-006

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline for this proceeding until April 30, 2027.

1. Background

Public Utilities Code (Pub. Util. Code) Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a quasi-legislative proceeding, within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met and issues an order extending the deadline. The current statutory deadline for completion of Rulemaking (R.) 23-04-006 is October 31, 2026.

On April 6, 2023, the California Public Utilities Commission (Commission) issued its Order Instituting Rulemaking (OIR) initiating this proceeding. The purpose of the OIR is to consider changes to the Commission's licensing and oversight of video franchisees under the Digital Infrastructure and Video Competition Act of 2006 (DIVCA). Among other items, Senate Bill (SB) 28 (Stats. 2021, Chap. 673) revises DIVCA to require the Commission to adopt video and broadband customer service requirements for a holder of a state video franchise and to adjudicate customer complaints regarding these services. The Commission may also consider potential ways to modernize and make the implementation of DIVCA more efficient and effective.

Parties filed timely opening comments on the OIR by June 1, 2023 or were granted a motion to file late-file opening comments a day late and reply comments by June 16, 2023. On October 31, 2023, a Ruling by the assigned Administrative Law Judge (ALJ) granted motions to late-file comments and for party status. On November 3, 2023, an assigned ALJ Ruling granted a motion for parties to file late-file comments. On November 29, 2023, the assigned ALJ issued a ruling setting the prehearing conference (PHC) for December 13, 2023. On December 1, 2023, an assigned ALJ Ruling provided notice of the PHC to all video service franchisees.

At the December 13, 2023, PHC, the assigned ALJ granted oral motions made by several entities for party status. Further, parties discussed the categorization of the proceeding, the scope of issues, the need for evidentiary hearings, the need for party workshops and public participation hearings, and the schedule.

On April 3, 2024, the assigned Commissioner issued a Scoping Memo and Ruling that determined an evidentiary hearing was not needed, categorized the proceeding as quasi-legislative and extended the statutory deadline for this proceeding to October 17, 2025.

On September 18, 2025, Decision 25-09-023 extended the statutory deadline for this proceeding to October 31, 2026.

An extension of the statutory deadline until April 30, 2027 is necessary because additional time is needed for Commission deliberations before adopting a decision.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

3. Assignment of Proceeding

Karen Douglas is the assigned Commissioner and Thomas J. Glegola and Margery Melvin are the assigned ALJs in these proceedings.

Findings of Fact

1. R.23-04-006 was issued on April 6, 2023.
2. The current statutory deadline for R.23-04-006 is October 31, 2026.
3. R.23-04-006 cannot be completed by October 31, 2026.
4. An extension of the statutory deadline until April 30, 2027, is necessary to complete this proceeding.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended until April 30, 2027.

IT IS ORDERED that the statutory deadline in these proceedings is extended until April 30, 2027.

This order is effective today.

Dated _____, at San Marcos, California.