

DRAFT

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Consumer Programs Branch**

**RESOLUTION T-17148
October 29, 2009**

R E S O L U T I O N

Resolution T-17148. Private Industry Council of Butte County, Inc.
Request for certification as the 2-1-1 service provider for Nevada County.
By Letter to Executive Director filed on June 23, 2009.

Summary

This resolution grants Private Industry Council of Butte County, Inc. hereinafter referred to as PICBC, the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Nevada County. This authority is granted for an indefinite term, and is subject to review upon a letter to the Commission showing sufficient grounds to revise or rescind the term.

Background

2-1-1 is the national abbreviated dialing code designated by the Federal Communications Commission to be used to phone non-emergency community I&R providers. Upon dialing 2-1-1, a caller will be routed to a referral service and then to an agency that can provide information concerning social services such as housing assistance, programs to assist with utility bills, food assistance and other less urgent situations not currently addressed by either 911 or 311 services. On January 23, 2002, the California Public Utilities Commission (Commission) instituted Rulemaking (R.) 02-01-025 into the implementation of 2-1-1 dialing in the State of California. In Decision (D.) 03-02-029, the Commission adopted regulatory policies and procedures to implement 2-1-1 dialing.

Included among these policies were guidelines and procedures whereby the Commission can certify I&R providers as eligible to purchase network telephone service that will enable them to receive calls from those who dial 2-1-1. Most of the procedures

for I&R providers to follow in requesting authority to use the 2-1-1 dialing code are contained in D.03-02-029's Ordering Paragraph 2, quoted below:

2. Information and Referral (I&R) providers seeking authority to provide 2-1-1 service or to establish Regional Technical Centers for routing 2-1-1 calls to I&R service providers in California shall submit a letter to the Executive Director of the Commission approximately nine months before they plan to commence service. The letter shall contain the information detailed in the Service Provider Application Package in Appendix A, shall include a service rollout plan, and shall demonstrate compliance with the guidelines contained in Appendix A to this decision, along with letters of endorsement from community groups as described in Appendix A. The I&R providers shall serve this application letter on the parties to this proceeding on the same day as its submission to the Commission. The Commission shall publish a notice of this letter in its Daily Calendar. We establish a milestone of six months from the initial filing of this application letter for action by the Commission via a resolution resolving any issues. This application letter should be served on the appropriate incumbent local exchange carriers and on all parties to this proceeding.

PICBC filed a complete copy of its application letter¹ requesting certification as the 2-1-1 service provider in Nevada County, as well as a copy with information PICBC considered confidential redacted, that was received by the Commission's Executive Director on July 2, 2009. On the same date, PICBC sent to the service list for R.02-01-025 redacted copies of its application letter.

We remind local exchange carriers of D. 03-02-029, Ordering Paragraph 3, which states "Within four months of the filing of a letter by I&R providers or a regional technical center seeking to initiate 2-1-1 service, the incumbent local exchange carriers serving the territory over which the 2-1-1 service will be offered shall file advice letters to provide the 2-1-1 switch translation services required. Ordering Paragraph 4 states "All other incumbent local carriers serving a territory over which the 2-1-1 service will be offered shall provide the needed switch translation service, but may either concur in the price terms offered by Pacific or Verizon or submit their own cost support information. This filing shall follow that of Pacific or Verizon by no more than 30 days." Competitive local carriers must comply with Ordering Paragraph 7, which states in part, "Within one month of the filing of an advice letter by incumbent local exchange carriers to offer 2-1-1 switch translation services in a specific area, each competitive local carrier

¹ The terms "application letter", "letter" and "application" used herein mean the package of materials the prospective I&R provider files with the Commission by letter to the Executive Director, as specified in D.03-02-029, and are not a formal application to the Commission as described in the Commission's Rules of Practice and Procedure.

providing services in the affected areas shall submit an advice letter, under General Order 96-A², demonstrating that it will offer 2-1-1 switch translation service at a reasonable rate to I&R providers on a timetable consistent with their rollout plans.”

We remind payphone service providers of the same decision’s Ordering Paragraph 6, stating in part “The providers of payphone services in an area in which 2-1-1 service will be offered shall end all non-conforming uses of 2-1-1 service within six months of their filing.” i.e., within six months of the filing of the application letter by the I&R provider.

Notice/Protests

PICBC states that it mailed a copy of its application letter to SBC Communications now AT&T as well as to the service list for R.02-01-025, which includes the appropriate incumbent local exchange carriers. The Communications Division published notice of PICBC application letter in the Commission Daily Calendar on July 14 through July 20, 2009. In response to PICBC application letter, the California Alliance of Information and Referral Services, Inc. (CAIRS) submitted a letter dated October 9, 2009 supporting the request of PICBC to use the 2-1-1 dialing code in Nevada County. No other comments were submitted.

Discussion

The 2-1-1 application process prescribed by D.03-02-029 for potential I&R providers is divided into four major sections. The first section elicits information on the I&R provider’s organization, structure, background, and experience.

PICBC is a non profit organization incorporated in the State of California. The documents included to support this categorization are its articles of incorporation, including by-laws, and letters from the Internal Revenue Service. PICBC is located at 202 Mira Loma Dr, Oroville, Ca 95965. The contact person is Bill Finley, at (530) 538-6798 and email at bfinley@ncen.org.

The I&R system in Nevada County has been fragmented. HelpLine is a senior services information and assistance organization funded through Area 4 Agency on Aging. FREED Independent Living Resource Center provides I&R for the disabled community. There has not been a single point of entry for resources required by seniors, families, disabled, and others within Nevada County.

As the long term One-Stop Employment operator and advocate for human services, Private Industry Council of Butte County, Inc. (PICBC), has been acutely aware of the

² General Order 96-A has since been replaced by General Order 96-B.

need for more integrated access to health and human service information for community members, service providers and funders, and the opportunities for creative collaboration to address these needs. In addition, the Nevada County Department of Social and Employment Services and the 2-1-1 Nevada County Steering Committee approached PICBC in 2008 to discuss collaboration on managing the on-line community resource directory, www.Dial211.com maintained by the County.

The 2-1-1 Steering Committee includes representatives of the Nevada County Department of Social and Employment Services, the Nevada County Health Department, the Nevada County Office of Emergency Services, United Way of Nevada County, the Nevada County Library, Area 4 Agency on Aging, First 5 Nevada County, Sierra Nevada Memorial Hospital and PICBC of Butte County, Inc..

The Nevada County 2-1-1 steering committee explored several options for the provision of 2-1-1 services. One of the existing providers, HelpLine, responded to the Steering Committee's Request for Information. After a review of the organizational capacity of HelpLine, it was determined that HelpLine was not in a position to assume 2-1-1 responsibility for the county.

Because HelpLine was the only local organization responding to the request for information, the 2-1-1 Steering Committee developed a Request for Proposal (RFP) for outsourcing I&R services in Nevada County. There were two responses to the RFP. Of the two, 2-1-1 Sacramento (Community Services Planning Council) was selected to be awarded the contract for I&R services in Nevada County.

PICBC will be managing the I&R contract for Nevada county with 2-1-1 Sacramento. PICBC will be hiring two staff members to operate the Nevada County 2-1-1 program and manage the contract. 2-1-1 Sacramento will be trained on the localities in Nevada County. The I&R database, utilized by 2-1-1 in the provision of I&R, will be maintained by PICBC.

2-1-1 Sacramento has the internal protocols to ensure calls are handled consistent with guidelines developed by the Alliance of Information and Referral Systems including call handling, database development and maintenance and disaster response and preparedness.

PICBC provided a three year budget as part of their application. PICBC's budget and financial statements indicate a stable and solvent financial position. It appears that PICBC has appropriate budgetary planning procedures to support 2-1-1 service at current call volumes.

The second section of the prescribed application sets forth the required service conditions that a 2-1-1 service provider must meet. Section 2 of PICBC's application

indicates that it does not and will not receive fees from referred organizations for referrals and no fees or charges levied to providers listed in its database.

2-1-1 Sacramento staff currently provides I&R services in English, Spanish, Bosnian, Croatian, Serbian, Russian, Thai, Lao, Mien, Cambodian, Khmer, Chinese, Cantonese and Mandarin along with access to a telephone multi-lingual translation service with access to more than 150 languages. TTY and TDY service are in place. All of these options will be available with the implementation of 2-1-1 in Nevada County.

In the third section of the prescribed application, the applicant must demonstrate its understanding of and must agree to adhere to the standards for delivery of I&R services as established by the Alliance of Information and Referral Services (AIRS). Private Industry Council's/2-1-1 Sacramento's Information and Referral program has internal protocols to ensure calls are handled consistent with guidelines developed by AIRS. AIRS' guidelines are the basis for the service delivery standards associated with use of the 2-1-1 dialing code as specified by the CPUC Decision 03-02-029. PICBC's application included descriptions of its policies in the areas of call assessment and follow-up, confidentiality, database standards, disaster readiness, reports and measures, cooperative relationships, training, marketing, and program evaluation. These policies appear to meet the standards established by AIRS.

In the fourth section of the prescribed application, the applicant demonstrates its level of community support by including letters of endorsement from organizations and agencies that are stakeholders in the health and human services network in its community. PICBC included in its application letters of endorsement from fourteen different organizations and agencies in a broad range of health and human service fields throughout Nevada County. These endorsements demonstrate broad community support.

In processing Private Industry County's 2-1-1 application, Communications Division considered the input of the Nevada County government because it oversees the operations of county hospitals, a county welfare department, and numerous other agencies and programs in the fields of health and human services, and is best equipped to evaluate whether an I&R provider is well suited to provide comprehensive I&R service in Nevada County. California's size and diversity, in geography, politics, and many other categories, argue against a statewide "one size fits-all" approach to evaluating and choosing comprehensive I&R providers. County governments can best apply local standards and local knowledge to this difficult but important task. On April 28, 2009, the Nevada County Board of Supervisors, Hank Weston, Chair, approved Res. No. 09-161 endorsing PICBC's application to serve as the 2-1-1 provider of Nevada County residents and employees. The Commission values the input of the Nevada County Board of Supervisors on this matter, and takes official notice of its action.

D.03-02-029 did not specifically address the length of time for which the Commission's grant of authority to use the 2-1-1 dialing code should be made. Utilities and other frequent participants in Commission proceedings generally know that most Commission decisions, resolutions, and actions can be later modified or rescinded if a showing of sufficient grounds to do so is made in a filing before the Commission. However, most I&R providers and county governments are not frequent participants in Commission proceedings, and may benefit from some clarification of this point. The grant of authority to use the 2-1-1 dialing code in a county or group of counties is for an indefinite term and may be revised or rescinded if a showing of sufficient grounds to do so is made to the Commission. For the reasons cited in the previous paragraph, the Commission should consider a resolution by the Nevada County Board of Supervisors as a crucial part of any showing that the authority to use the 2-1-1 dialing code for comprehensive I&R service for Nevada County should be rescinded, reassigned, or modified. A letter to the Commission's Executive Director could serve to initiate such a process. Any such process should provide notice to all affected parties and an opportunity to be heard.

The Communications Division concludes that the application letter filed by PICBC meets the requirements set forth in the Commission's order and recommends that the Commission approve this filing. Commission approval is based on the specifics of the application letter, and does not establish a precedent for the contents of future filings or for Commission approval of similar requests.

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to P.U.Code Section 311 (g) (2) and Rule 14.6(c) (2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is being waived.

Findings

1. Private Industry Council of Butte County, Inc., hereinafter referred to as PICBC sent its application letter for certification as the 2-1-1 service provider for Nevada County to the Commission on July 2, 2009.
2. CAIRS submitted written comments in support of PICBC's application for provision of 2-1-1 services in Nevada County on October 9, 2009. No other comments were submitted.
3. PICBC's application provides sufficient information to meet the four major sections of the 2-1-1 application process required by D. 03-02-039.

4. Hank Weston, the Chairman of the Nevada County Board of Supervisor sent a letter to the Commission on April 28, 2009, endorsing PICBC's application to serve as the 2-1-1 provider for Nevada County.
5. CD concludes that PICBC's application meets the requirements established by D. 03-02-029 to use the 2-1-1 dialing code.

THEREFORE, IT IS ORDERED that:

1. Private Industry Council of Butte County, Inc. is granted the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Nevada County.
2. This authority is granted for an indefinite term, and is subject to review upon showing sufficient grounds to revise or rescind the term. Any process to contest, revise, or rescind this authority shall provide notice to all affected parties and an opportunity to be heard.
3. If Private Industry Council of Butte County, Inc. cannot implement 2-1-1 dialing within a year after the Commission's approval of Private Industry Council of Butte County, Inc.'s application for provision of 2-1-1 service in Nevada County and the needed tariffs of the telecommunications service providers ordered in Ordering Paragraphs 3, 4, and 7 of D.03-02-029, then, barring further Commission action, the certification of Private Industry Council of Butte County, Inc. shall lapse so that another I&R provider may apply to offer service in a service territory containing Nevada County.
4. Private Industry Council of Butte County, Inc. shall notify the Director of the Communications Division in writing of the date 2-1-1 service is first rendered to the public, within five business days after service begins.

This Resolution is effective today.

I hereby certify that the Public Utilities Commission at its regular meeting on October 29, 2009 adopted this Resolution. The following Commissioners approved it:

PAUL CLANON
Executive Director