

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Consumer Programs Branch**

**RESOLUTION T-17147
October 15, 2009**

R E S O L U T I O N

Resolution T-17147. Kings United Way. Request for certification as the 2-1-1 service provider for Kings County. By Letter to Executive Director filed on June 23, 2009.

Summary

This resolution grants Kings United Way hereinafter referred to as KUW, the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Kings 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.

KUW filed a complete copy of its application letter¹ requesting certification as the 2-1-1 service provider in Kings County, as well as a copy with information KUW considered confidential redacted, that was received by the Commission's Executive Director on June 23, 2009. On the same date, KUW 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 providing services in the affected areas shall submit an advice letter, under General

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.

Order 96-A, 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

KUW 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 KUW application letter in the Commission Daily Calendar on June 25 through July 1, 2009. In response to KUW application letter, the California Alliance of Information and Referral Services, Inc. (CAIRS) submitted written comments dated July 31, 2009 supporting the request of KUW to use the 2-1-1 dialing code in Kings 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.

KUW 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. KUW is located at P.O. Box 878, Armona, Ca 93202 or 11050 13th Av, Hanford, and Ca 93230. The contact person is Nanette Villarreal, at (559) 584-1536 and email at nanettev@kingsunitedway.org.

In May 2008, an informational meeting regarding 2-1-1 systems was presented to Kings County stakeholders by a consultant of 2-1-1 California and representatives of the Kern County 2-1-1 system. Building on that momentum, a 2-1-1 advisory committee was established and funding for 2-1-1 planning was provided by First 5 Kings County.

Planning milestones were established and used as the framework to develop 2-1-1 Kings County. A Request for Qualifications (RFQ) process was initiated in October 2008 by the 2-1-1 Kings County Advisory Committee to identify a lead organization for the implementation and operation of a 2-1-1 system in Kings County.

Kings United Way applied for and received designation as the lead organization based on organizational capacity and experience providing county-wide Information and Referral services. In early 2006, Kings United Way worked with multiple stakeholders to develop Kings CONNECTION. The Kings CONNECTION database houses over 370 health and human service organizations serving Kings County residents. The service provider profile is updated quarterly to ensure accurate information is provided to callers.

The current service delivery model through Kings CONNECTION involves collecting and evaluating inquirer data, ensuring broad access to services, providing advocacy when needed and following up with callers to make sure each individual received the services needed. United Way is committed to providing accurate information to each caller, respecting each caller's privacy and right to confidential information and referral services and maintaining barrier-free access.

In June 2009, the Kings County Board of Supervisors affirmed Kings United Way as the lead organization for 2-1-1 in Kings County. Once approved by the California Public Utilities Commission, Kings United Way will implement 2-1-1 Kings County with an agreement for 24/7/365 call services with Interface Children Family Services and the Refer database by RTM Designs. Both the provision of call services and the database adhere to standards set by the National Alliance of Information and Referral Systems (AIRS).

KUW will be managing the I&R contract for the county with Interface. Interface will be trained on the localities in Kings County. The I&R database, utilized by Interface in the provision of I&R, will be maintained by KUW.

Interface 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.

KUW provided a three year budget as part of their application. KUW's budget and financial statements indicate a stable and solvent financial position. It appears that KUW 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 KUW'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. Furthermore, KUW's information and referrals services have been provided free of charge to callers since the inception and will remain that way upon implementation of 2-1-1.

Interface staff currently provides I&R services in English and Spanish along with a subscription to a multi-lingual translation service. TTY and TDY service are in place. All of these options will be available with the implementation of 2-1-1 in Kings County. As additional employees are hired, effort will be made to increase the Spanish-English bilingual staff.

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).

KUW/Interface'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. KUW'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. KUW included in its application letters of endorsement from fourteen different organizations and agencies in a broad range of health and human service fields throughout Kings County. These endorsements demonstrate broad community support.

In processing KUW's 2-1-1 application, Communications Division considered the input of the Kings 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 Kings 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. Joe Neves, Chairman of the Kings County Board of Supervisors sent a letter on June 9, 2009 endorsing KUW application to serve as the 2-1-1 provider of Kings County residents and employees. The Commission values the input of the Kings 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 Kings 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 Kings 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 KUW 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. Kings United Way, hereinafter referred to as KUW sent its application letter for certification as the 2-1-1 service provider for Kings County to the Commission on June 23, 2009.
2. CAIRS submitted written comments in support of KUW's application on July 31, 2009. No other comments were submitted.
3. KUW'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. The Chairman of the Kings County Board of Supervisor sent a letter to the Commission on June 9, 2009, endorsing KUW's application to serve as the 2-1-1 provider for Kings County.
5. CD concludes that KUW'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. Kings United Way is granted the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Kings 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 Kings United Way cannot implement 2-1-1 dialing within a year after the Commission's approval of Kings United Way 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 Kings United Way shall lapse so that another I&R provider may apply to offer service in a service territory containing Kings County.
4. Kings United Way 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 15, 2009 adopted this Resolution. The following Commissioners approved it:

/s/ Paul Clanon

PAUL CLANON
Executive Director

MICHAEL R. PEEVEY
President

DIAN M. GRUENEICH

JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners