

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Telecommunications Division
Market Structure Branch**

**RESOLUTION T-16785
December 4, 2003**

R E S O L U T I O N

Resolution T-16785. Eden I & R, Inc. Request for certification as the 2-1-1 service provider for Alameda County.

By Letter to Executive Director dated June 30, 2003.

Summary

This resolution grants Eden I & R, Inc. (Eden) the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Alameda County. This authority is granted for an indefinite term, and can be contested by letter to the Executive Director or by formal application to the Commission.

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.

On June 30, 2003, Eden sent to the Commission's Executive Director a complete copy of its application letter¹ requesting certification as the 2-1-1 service provider in Alameda County, as well as a copy with information Eden considered confidential redacted. On the same date, Eden sent to the service list for R.02-01-025 redacted copies of its application letter.

Notice/Protests

Eden states that it mailed a copy of its application letter to the service list for R.02-01-025, which includes the appropriate incumbent local exchange carriers. The Telecommunications Division published notice of Eden's application letter in the Commission Daily Calendars on July 29 through August 5, 2003. Written comments on Eden's application letter were received from California Alliance of Information and Referral Services, Inc. (CAIRS), supporting the request of Eden to use the 2-1-1- dialing code in Alameda county.

Discussion

The application 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, its structure, its background, and experience.

¹ The terms "application 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.

Eden is a non-profit corporation, incorporated in California on January 7, 1976. The documents Eden included to support this categorization are its articles of incorporation, including amendments, and letters from the Internal Revenue Service. Its location is 570 B Street, Hayward, CA 94541-5004. The contact person is Ms. Barbara Bernstein, Executive Director, (510) 537-2710.

Eden's application states that since 1976, it has been the center point of Alameda County's human service network and it is widely recognized among hospitals, churches, businesses, government offices, and community based organizations as the most respected source of accurate, up-to-date, information and referral for human services and affordable housing in Alameda County. Eden's human service information is also published biennially as the Directory of Human Services for Alameda County, popularly known as The Big Blue Book, and is available on line at <http://www.alamedaco.info>. The types of specialized programs Eden provides directly, according to its application, are: housing and emergency shelter referral, support services for at-risk youth, in-person assessment and self-sufficiency counseling to people in shelters and jails, and call response services for potential child or adult abuse victims. Additionally, Eden provides information and referral to hundreds of other specialized providers of human services in Alameda County. Eden's application indicates that all six of its key managers have many years of experience either directly in comprehensive I&R service, or in similar human services planning and information management.

Eden's budget and financial statements indicate a stable and solvent financial position. It appears that Eden has appropriate budgetary planning procedures to support 2-1-1 service at current call volumes. The budget Eden submitted in its application shows relatively minor increases for salaries this year and next.

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 Eden's application indicates that Eden does not and will not receive fees from referred organizations nor charge providers to be listed in its database. Furthermore, Eden provides its service at no charge to callers and there are no advertisements or commercial sponsorship messages on its lines. Eden states that it currently operates 24/7/365. Information and Referral services are provided from 9 am to 4 pm, Monday through Friday; translation services for the Cantonese Language Assistance Bureau and Prison Health services are provided 24 hours a day, seven days a week; the after hours phone services for Child Protective Services, Adult Protective Services, and the Public Guardian's Office are provided 24 hours per day when those offices are closed (weekends and holidays), and graveyard shifts seven days a week. Once designated as the 2-1-1-service provider, Eden indicates it will be expanding its staff to provide I&R service to 2-1-1 callers 24/7/365. Eden states that currently it has staff capacity to offer services in Cantonese, Spanish and Vietnamese.

In the third section of the prescribed application, the applicant must demonstrate its understanding of and agreement to adhere to the standards for delivery of I&R services established by the Alliance of Information and Referral Services (AIRS). Eden's application includes 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 be more than adequate 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 up to 15 letters of endorsement from organizations and agencies that are stakeholders in the health and human services network in its community. Eden included in its application letters of endorsement from 15 different organizations and agencies in a broad range of health and human service fields including housing, health, mental health, employment, domestic violence, disability, emergency (disaster), alcohol and drugs, and senior services. Many of Eden's endorsements are from city and county agencies in Alameda County, indicating its close integration with local government in its area of service.

In processing this 2-1-1 application, Telecommunications Division considered the opinion of Alameda County government, which 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 Alameda 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. The President of the Alameda County Board of Supervisors sent a letter on June 10, 2003 endorsing Eden to serve as the 2-1-1 provider for Alameda County residents and employees. The Commission values the input of the Alameda 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 Alameda 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 Alameda 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 Telecommunications Division concludes that the application letter filed by Eden meets the requirements set forth in the Commission Orders 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.

Comments

In accordance with P.U. Code Section 311 (g), a draft resolution prepared by the Telecommunications Division staff was mailed on November 4, 2003, to the parties of record to R.02-01-025, to Eden, and to the Alameda County Board of Supervisors.

On November 17, 2003 Simpson Partners filed timely comments on behalf of CAIRS. CAIRS points out that the draft resolution does not include reference to the endorsement letter sent on July 24, 2003 by CAIRS to the Executive Director of the Commission supporting the request of Eden to use the 2-1-1 dialing code in Alameda county. CAIRS requests that the draft resolution be revised to reflect CAIRS's endorsement of Eden's request.

The Telecommunications Division acknowledges the input from CAIRS on this matter.

Findings

1. Eden sent its application letter for certification as the 2-1-1 service provider for Alameda County to the Commission on June 30, 2003.
2. Written comments on Eden's application were filed by CAIRS, supporting the request of Eden.
3. The Commission should defer heavily to the judgment and expertise of county government for the selection of the county's comprehensive I&R provider.

4. The president of the Alameda County Board of Supervisors sent a letter to the Commission on June 10, 2003, endorsing Eden to serve as the 2-1-1 provider for Alameda County.

THEREFORE, IT IS ORDERED that:

1. Eden I & R, Inc. (Eden) is granted the authority to use the 2-1-1 abbreviated dialing code to provide information and referral (I&R) services to all of Alameda County.
2. This authority is granted for an indefinite term, and can be contested by letter to the Executive Director or by formal application to the Commission. Any process to contest, revise, or rescind this authority shall provide notice to all affected parties and an opportunity to be heard.
3. If Eden fails to implement 2-1-1 dialing within a year after the Commission's approval of Eden 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 Eden shall lapse so that another I&R provider may apply to offer service in a service territory containing Alameda County.

December 4, 2003

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on December 4, 2003. The following Commissioners approved it:

/s/ WILLIAM AHERN

WILLIAM AHERN
Executive Director

MICHAEL R. PEEVEY
President

CARL W. WOOD

GEOFFREY F. BROWN

SUSAN P. KENNEDY

Commissioners

Commissioner Loretta M. Lynch, being
necessarily absent, did not participate.