

BILL ANALYSIS

Date of Hearing: April 13, 2016

ASSEMBLY COMMITTEE ON UTILITIES AND COMMERCE

Mike Gatto, Chair

AB 2395
(Low) - As Amended March 17, 2016

SUBJECT: Telecommunications: replacement of public switched telephone network

SUMMARY: Proposes a process for a telephone corporation to transition from legacy public switched telephone network services to Internet Protocol (IP) enabled services and networks. Specifically, this bill:

- 1) Requires a telephone corporation transitioning to IP-enabled services and networks to complete a customer education and outreach program explaining the IP transition, its benefits and advantages, including the environmental benefits and advantages, and a description of the advanced services available to consumers.
- 2) Requires the customer education and outreach program to include information regarding the projected timeframes for the transition, including the fact that the withdrawal of any voice grade single-line telephone service will not take place prior to January 1, 2020.
- 3) Requires a telephone corporation planning to discontinue any

voice grade single-line telephone service to first give prior notice to the California Public Utilities Commission (CPUC) certifying the following:

- a) The telephone corporation has completed the education and outreach program, as specified.
 - b) An alternative voice service is available for the affected customers in the affected area.
- 4) Requires, upon receipt of the notice to withdraw, the CPUC to conduct a technical review to confirm that the alternative service has the following elements:
- a) Voice grade access to the public switched telephone network or its successor;
 - b) Real time, two-way voice communications;
 - c) Access for end users of those service to local emergency telephone system, as specified, including enhanced 911 access, where available; and
 - d) Provide backup battery capability, as specified, for alternative services that require a residential power supply to operate.
- 5) Requires the CPUC technical review to be completed within 120 days from receipt of notice from the telephone corporation.

- 6) Specifies that if the CPUC fails to complete its technical review within 120 days that the telephone corporation will be conclusively presumed to have completed the specified requirements to withdraw.
- 7) Authorizes a telephone corporation, upon completion of specified requirements, to discontinue any legacy telephone service, no sooner than January 1, 2020.
- 8) Requires a telephone corporation to give no less than 90 days prior notice to affected customers and to the CPUC.
- 9) Requires, if the discontinuance of legacy telephone service includes voice grade single-line services, the notice to include specified information.
- 10) Requires, during the notice period, the telephone corporation to continue to provide the legacy telephone service to the affected customers, except to a customer that disconnects or changes the features of the service, but shall have no obligation to provide the legacy telephone service to any new customers in the affected area.
- 11) Authorizes, within 30 days after receipt of a telephone corporation's notice of withdrawal, of legacy voice service, a customer to petition the CPUC to review the availability of the alternative service at the customer's location.
- 12) Requires the CPUC to issue an order disposing of the petition no later than 60 days after the filing of the petition.
- 13) Requires the CPUC, if it determines after an investigation

that no alternative service is available to the customers at the customer's location, to attempt to identify a willing provider of voice service to serve the customer.

- 14) Authorizes the CPUC to order the withdrawing telephone corporation to provide voice service to the customer at the customer's location for a period no longer than 12 months after withdrawal, if no willing provider is identified.
- 15) Requires the CPUC to establish a universal connectivity program to ensure that customers of the withdrawing telephone corporation will continue to receive voice service after 12 months.

EXISTING LAW:

- 1) Defines "telephone line" to include all conduits, ducts, poles, wires, cables, instruments, and appliances, and all other real estate, fixtures, and personal property owned, 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. (Public Utilities Code Section 233)
- 2) Defines "telephone corporation" to include every corporation or person owning, controlling, operating, or managing any telephone line for compensation within this state. (Public Utilities Code Section 234)
- 3) Defines "service area" for purposes of the operations of a telephone corporation, to mean a local access and transport area as defined and approved by the United States District Court for the District of Columbia circuit in the case of the

United States v. Western Electric Co., Inc., and American Telephone and Telegraph Co., CA 82-0192, April 20, and July 8, 1983, and in a Memorandum and Order of August 5, 1983. (Public Utilities Code Section 230.3)

- 4) Requires a telephone corporation, before it exits the business of providing interexchange services to all of its customers or to an entire class of its customers, to provide those affected customers with a written notice at least 30 days prior to the proposed transfer of those customers to another telephone corporation, as specified. (Public Utilities Code Section 2889.3)
- 5) Establishes the California High Cost Funds (CHCF) A, CHCF B, Universal Lifeline Telephone Service Trust, the Deaf and Disabled Telecommunications Program, and the California TeleConnect Fund. (Public Utilities Code Sections 270 to 281)
- 6) Requires the CPUC to require every telephone corporation providing telephone service within a service area to file a schedule of rates and charges providing a class of lifeline telephone service. (Public Utilities Code Section 876)
- 7) Requires every telephone corporation providing service within a service area to inform all eligible subscribers of the availability of lifeline telephone service, and how they may qualify for and obtain service, and shall accept applications for lifeline telephone service according to procedures specified by the CPUC. (Public Utilities Code Section 876)
- 8) Authorizes the CPUC to annually determine user fees to be paid by every electrical, gas, telephone, telegraph, water, sewer system, and heat corporation and every other public utility providing service directly to customers or subscribers and

subject to the jurisdiction of the commission, as specified.
(Public Utilities Code Sections 431 to 435)

9) Declares that the policies for telecommunications in California are as follows:

- a) To continue our universal service commitment by assuring the continued affordability and widespread availability of high-quality telecommunications services to all Californians.
- b) To focus efforts on providing educational institutions, health care institutions, community-based organizations, and governmental institutions with access to advanced telecommunications services in recognition of their economic and societal impact.
- c) To encourage the development and deployment of new technologies and the equitable provision of services in a way that efficiently meets consumer need and encourages the ubiquitous availability of a wide choice of state-of-the-art services.
- d) To assist in bridging the "digital divide" by encouraging expanded access to state-of-the-art technologies for rural, inner-city, low-income, and disabled Californians.
- e) To promote economic growth, job creation, and the substantial social benefits that will result from the rapid implementation of advanced information and communications technologies by adequate long-term investment in the

necessary infrastructure.

- f) To promote lower prices, broader consumer choice, and avoidance of anticompetitive conduct.

- g) To remove the barriers to open and competitive markets and promote fair product and price competition in a way that encourages greater efficiency, lower prices, and more consumer choice.

- h) To encourage fair treatment of consumers through provision of sufficient information for making informed choices, establishment of reasonable service quality standards, and establishment of processes for equitable resolution of billing and service problems. (Public Utilities Code Section 709)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) Author's Statement: "AB 2395 embraces the telecommunications changes already taking place in the marketplace. Since 1999, Plain Old Telephone Service (POTS) has declined by 85 percent in the state. As of 2014, approximately 6 percent of Californians lived in households with only a landline (which includes POTS and VOIP), a 44 percent decline from 2010. Yet our state's telecomm law doesn't reflect the fast-changing marketplace of today. AB 2395 also will help achieve the 2020 statewide limit on greenhouse gas emissions. Transitioning from the [POTS] network to modern [IP] networks reduces communications facilities power and cooling by 90 percent. Each year, the POTS network in the U.S. consumes power equivalent to roughly 1 million homes and emits [carbon

dioxide] emissions equal to that of more than 2 million cars. Finally, AB 2395 modernizes our state's telecomm regulations to ensure California is the world leader in telecomm innovation."

2)Background: As more consumers shift away from plain old telephone services (POTS) to newer IP based services, providers are beginning to transition away from providing POTS to newer alternative services. From 1999 to 2015, the number of residents with POTS has declined an estimated 85%. By 2014, approximately 6% of Californians still lived in households that only have landline services. Currently, there is an estimated 16.5 million landlines in California. As the percentage of wireless only households continues to increase and landline only households continues to decrease, providers must continue to maintain a communication infrastructure that they argue is outdated, energy inefficient, and economically burdensome, while also investing billions in expanding IP service networks.

3)Incumbent Local Exchange Carriers and Competitive Local Exchange Carriers: In the 1980s, Congress broke up AT&T into seven smaller local companies, subsequently in 1996, it passed the Telecommunications Act of 1996 (The Act) which forced these local companies to open up their networks to outside competition. As a result, The Act distinguished two types of telephone service providers, Incumbent Local Exchange Carriers (ILECs) and Competitive Local Exchange Carriers (CLECs). ILECs are telephone companies that provided local services prior to The Act, and own most of the infrastructure and facilities in a service area. CLECs are companies established by The Act that build and operate communication networks in existing ILEC service areas, and provide customers with an alternative to ILEC services. The Act was intended to promote competition between telephone service providers.

The Act allowed ILECs to offer new services such as long-distance and internet along with local telephone services. In exchange, ILECs would share their networks with new competition, allowing CLECs to rent network space and provide alternative services in ILEC service areas. The Act, however, only required ILECs to share traditional copper phone lines with CLECs. As ILECs transition away from copper phone line services and lay more fiber-optic cables to provide newer IP services, CLECs are still depending on the existing copper infrastructure to provide their current services.

The author may wish to consider an amendment to clarify that nothing in this bill modifies the obligations of ILECs to comply with the requirements to provide CLECs with non-discriminatory access to ILEC networks. The author may also wish to consider an amendment clarifying that nothing in this bill modifies the CPUC's obligations to regulate the wholesale market, including the authority to arbitrate and enforce interconnection agreements.

4) Carrier of Last Resort: Carriers of Last Resort (COLR) are carriers that are required to serve, upon request, all customers within their service area. This includes services that are provided by the public purpose programs such as the Universal Lifeline Telephone Service, the Deaf and Disabled Telecommunications Program, and the California TeleConnect Fund, as well as providing basic service. California has about 25 COLRs which generally include all the ILECs, such as AT&T, Verizon, Frontier, and SureWest. Most ILECs were designated COLRs after The Act. Carriers who wish to become COLRs must obtain CPUC approval. COLRs benefit by having access to high-cost fund subsidies such as the CHCF A and CHCF B which provide subsidies to small and large carriers for providing landline telephone services to residential customers in high cost areas. The CHCF A and CHCF B are funded through a surcharge on telecommunication customers.

The CPUC has mandated basic service elements for voice services for all COLRs. These services include: a) voice grade access to the public switched telephone network or successor network; b) real time two way communication; c) access to 911 services; d) access to residential backup power; e) access to directory services; f) billing protections; g) access to toll-free numbers; h) telephone relay services for deaf and disabled consumers; i) equal access to interexchange carriers; j) conditions of service notifications to consumers.

If a COLR wishes to opt out of its obligation to serve as a COLR, it must obtain approval from the CPUC through an advice letter, if there is an alternative provider in the service area, or an application, where there is not. Currently, only two providers, AT&T and Cox Communications, are designated COLRs and provide services in overlapping service areas in parts of Orange and San Diego County. Should a provider withdraw as a COLR, and decide to sell its existing copper infrastructure, one should question who would benefit from such a transaction, the shareholders, or the customers that have paid to subsidize the creation and maintenance of the copper infrastructure.

- 5) Education and Outreach: This bill proposes an alternative process for a telephone corporation transitioning to IP-enabled services and networks to discontinue providing POTS. This bill requires a telephone corporation seeking to discontinue POTS to complete a customer education and outreach program. The education and outreach program must include information relating to the environmental benefits, a description of the advanced services available to consumers, the projected timeframe for the transition, including the fact that the withdrawal cannot take place prior to January 1, 2020.

Arguably, such an education and outreach program should be similar to the public education program conducted by AT&T when an area code changes, which includes for example, newspaper and radio ads, television commercials, press releases, specialized letters to public safety agencies, alarm companies, etc., and provided in different languages considerate of cultures and languages reflective of the demographics of an area. Such an education and outreach program should also include information related to if a customer can keep their existing phone number should their POTS be discontinued.

The author may wish to consider an amendment to clarify that this process is voluntary and only applicable for telephone corporations seeking to withdraw legacy services. The author may also wish to consider an amendment to clarify that this bill applies to circuit switched legacy services provided by traditional telephone companies and not to other advanced services.

_____ 6) CPUC Review: This bill requires the telephone corporation to provide the CPUC with notice certifying that the education and outreach program has been completed, and an alternative voice service is available for the affected customers in the affected service area. Upon notice from the telephone corporation, the CPUC shall conduct a technical review to confirm that the alternative service has: a) voice grade access to the public switched telephone network or its successor; b) real time, two way voice communications; c) access to 911 services; d) backup battery capabilities consistent with Federal Communication Commission (FCC) standards. This bill requires the CPUC to complete its technical review within 120 days. If the CPUC fails to complete its review within 120 days, the telephone corporation will be presumed to have met the requirements to discontinue POTS. It is unclear how a telephone corporation would be

withdrawing service; by specific service area or by its entire service area. Hence, it is unclear if the 120 days CPUC review period begins once a telephone corporation submits a notice to withdraw from a specific area or from the entire service area of the telephone corporation.

Furthermore, it is unclear what impact this bill will have on consumers, should a telephone corporation complete an education and outreach program, but the CPUC later determines that an alternative service is unavailable during its technical review. In addition, because the CPUC currently only has jurisdiction over landline services, it is unclear whether or not the CPUC has the necessary data and/or personnel to conduct an accurate review of all the alternative services.

The author may wish to consider an amendment to clarify the CPUC's review process.

7)Alternative Services: Upon receipt of a notice to withdraw, this bill requires the CPUC to conduct a technical review to confirm that the alternative service has: a) voice grade access to the public switched telephone network or its successor; b) real-time, two-way voice communications; c) access to 911 services; and d) backup battery capabilities. Although this bill does not specifically define what an alternative service is, arguably an alternative service must be comparable to the existing service in terms of reliability, price, and access to public safety.

For example, if a telephone corporation removes POTS but the alternative service available is a wireless option, but the customer's service area has bad wireless reception, arguably this is not an alternative service option. In addition, if the alternative service option available is a service that is bundled with additional features at a cost much higher than

the stand alone POTS cost, it is arguable that is also not an alternative service option.

The author may wish to consider an amendment to better align the battery backup requirements with federal law.

8) Discontinuance of Service: Once the CPUC has completed its technical review, but no sooner than January 1, 2020, this bill allows a telephone corporation to discontinue POTS, upon giving at least 90 days prior notice to affected customers and to the CPUC. If the discontinuance of POTS includes voice grade single line services, the notice shall include information regarding the availability of alternative services, how to petition the CPUC for review of the alternative service availability, and any environmental benefit information. This bill requires the telephone corporation to continue providing POTS during the notice period to the affected customer, except to customers that disconnect or change the features of the service.

Within 30 days after receipt of a notice to withdraw, a customer may petition the CPUC to review the availability of the alternative service at the customer's location. If the CPUC determines that no alternative service is available to the customer, the CPUC shall attempt to identify a willing provider to the customer. If no willing provider is identified, the CPUC may order the withdrawing telephone corporation to continue to provide voice service to the customer for 12 months.

The author may wish to consider an amendment to simplify the process for notifying a customer on how to seek CPUC review of the availability of an alternative service.

The author may also wish to consider an amendment to simplify the CPUCs customer review process.

9) Universal Connectivity Program: This bill requires the CPUC to establish a universal connectivity program by September 1, 2019, to ensure that customers of telephone corporations for whom the CPUC has ordered to continue providing voice services for 12 months, continue to receive voice services during that period. It is unclear how such a program would be funded or administered by the CPUC.

The author may wish to consider an amendment striking this program from the bill and requiring the telephone corporation to continue to provide voice services to a customer until an alternative service is available after the 12 month period.

10) Environmental Benefit? According to the author, this bill will help achieve the 2020 statewide limit on greenhouse gas emissions by reducing communications facilities power and cooling by 90%. The author argues that each year, the POTS network in the United States consumes power equivalent to roughly 1 million homes and emits carbon dioxide emissions equal to that of more than 2 million cars. Although newer technologies are generally more energy efficient, it is difficult to quantify the environmental benefits or impacts of closing down POTS networks as such benefits might be offset by increased usage and demand on the newer technologies infrastructure.

The author may wish to consider an amendment striking language related to the environmental benefits and advantages associated with a transition to IP networks.

11) FCC Proceedings: In November 2014, the FCC initiated a

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rulemaking to "help guide and accelerate the technological

revolutions there are underway involving the transitions from networks based on TDM circuit-switched voice services running on copper loops to all-IP multi-media networks using copper, co-axial cable, wireless, and fiber as physical infrastructure." Furthermore, the FCC is also currently evaluating the IP transition in several dockets, based on various aspects of the transition. It is unclear how the results of these FCC proceedings will impact California and the objectives proposed under this bill.

12) Arguments in Support: According to AT&T, the source of this bill, "If you are using an iPhone, have abandoned your land line, have adopted VoIP or text your family and friends, you know first-hand that the way you communicate has changed radically in the last decade. Yet our states - and the [CPUC] - are married to an outdated network with a heavy carbon footprint that is diverting investment into technologies whose time has passed. California's failure to keep pace with changes being embraced in the marketplace by consumers and business threatens our state's leadership in technology and climate action [?] This legislation will help California reduce its carbon emissions by establishing a thoughtful and orderly transition from networks providing what's known as [POTS] to more modern and environmentally-efficient networks and services while protecting the remaining customers with POTS services."

13) Arguments in Opposition: According to The Utility Reform Network (TURN), "Masked as an environmental bill, the real intent and effect of the legislation would be to allow telephone companies to abandon basic landline telephone service and force customers to subscribe to services that may not be affordable, offer reliable service, or function during power outages. The bill would leave millions of residential and small business customers without the safety net of a [COLR] for essential telecommunications services and

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jeopardize the public health and safety of Californians. This bill will impact both rural and urban areas, place seniors and

the disabled at risk, and harm everyone who depends on reliable telephone service [?] AB 2395 is a money and power grab by AT&T and other large companies. The bill allows these companies to abandon their [COLR] obligations and abandon customers regardless of the status of competition. It is vague and over-broad, emasculating the CPUC from doing its job to protect California consumers."

14) Prior Legislation:

SB 1375 (Price), Chapter 332, Statutes of 2010: Allows a local telephone corporation to provide access to 911 emergency services after disconnection of residential basic phone service for nonpayment of any delinquent account, as specified. In addition, allows a telephone corporation to disconnect any line in existence on January 1, 2011, that provides access to 911 emergency services with no customer account attached for that line, if a 90-day notice is provided that contains specified information.

15) Suggested Amendments:

SECTION 1. The Legislature finds and declares all of the following:

(a) California continues to be the world's advanced technology leader, the center of the innovation economy, and a pioneer in clean and sustainable technology. The state must adopt a strategy to build our digital infrastructure while retiring outdated technology. The transition from 20th century traditional circuit-switched and other legacy telephone services to 21st century next-generation Internet Protocol

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(IP) networks and services is taking place at an extraordinary pace. A significant majority of Californians have already transitioned to upgraded communications services such as

high-speed Internet, Voice over Internet Protocol (VoIP), and mobile telephony services.

(b) Between 1999 and 2015, California witnessed an estimated 85 percent decline in landlines providing legacy telephone services and relying on dated technology. At the same time, consumer adoption of advanced services over IP-based networks has continued to grow. Californians have quickly adopted new technologies to communicate. More than 9 out of 10 Californians use a smartphone or other mobile devices, 86 percent use the Internet, and there are over 5.7 million VoIP subscriptions. As of 2014, approximately 6 percent of Californians resided in households with only a landline, a 44 percent decline from 2010.

(c) So many California consumers have made this transition so quickly because IP-based services offer greater functionality than legacy phone service. The gap will only widen with the continuing integration of IP networks with cloud computing and the Internet of Things. The policy of the state is to help all Californians transition to advanced ~~and clean~~ technologies and services so that everyone, including low-income, senior, and rural communities, can benefit from and participate fully in 21st century modern life.

(d) The legacy telephone network ~~is outdated,~~ underutilized. ~~and carbon-unfriendly when compared to the IP network. Vital economic, educational, health, and civic opportunities, including online learning, telemedicine, remote working, e-government services, and public safety, are not optimized on the outdated network. The transition from older, dated technologies to newer, more advanced technologies is nearly complete, and at some point in the not-too-distant future it~~

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~~will no longer be economically viable or environmentally sound to maintain legacy networks and services. The consumer demand will not be there, the economics will not support it, and the associated environmental burden will be disproportionate to~~

~~its long past benefits.~~

~~(c) Recent studies show that transitioning from a legacy switched network to an all IP network can reduce energy costs by as much as 70 percent, reduce water use for cooling by as much as 70 percent, and reduce emissions of greenhouse gases by as much as 40 percent. IP services themselves provide even further benefits, including reduced fuel and electricity use through smart logistics and telematics for efficient traffic and route management, and automated monitoring of energy use related to lighting and climate control. IP-based technologies, including remote water leakage detection and control and smart irrigation solutions for agriculture, may also serve to enable efficient use of water by consumers.~~

~~(f) (1) This act will provide a path for the telecommunications industry to make significant contributions toward the state's goals for energy use and emissions of greenhouse gases, as set forth in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and the Clean Energy and Pollution Reduction Act of 2015 (Chapter 547 of the Statutes of 2015).~~

~~(2) This act will establish state policy for a clearly communicated, planned, and orderly transition ~~from outdated technology~~ to ~~cleaner~~ advanced technologies, so that continuity of service for consumers and businesses is ensured, while maintaining safeguards to preserve universal connectivity.~~

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(3) This act will ensure that the ~~advanced~~ alternative services replacing legacy services provide quality voice service and access to emergency communications as part of a 21st century policy framework.

(4) This act will ensure that ~~advanced~~ alternative services are available to replace legacy services before the transition, so that all Californians are able to benefit from the opportunities presented by advanced technologies and services.

SEC. 2. Section 711 is added to the Public Utilities Code, to read:

711. (a) Before seeking to withdraw traditional circuit-switched and other legacy telephone services under this section ~~A~~ a telephone corporation transitioning to IP-enabled services and networks shall complete a customer education and outreach program explaining the IP transition, its benefits and advantages, which may include ~~e~~ ~~ing~~ the environmental benefits and advantages, and a description of the advanced services available to consumers. The customer education and outreach program shall also include information regarding the projected timeframes for the transition, including the fact that the withdrawal of any voice grade single-line telephone service will not take place prior to January 1, 2020.

(b) A telephone corporation planning to discontinue any voice grade single-line circuit switched legacy telephone service shall first give prior notice to the commission certifying both of the following:

(1) The telephone corporation has completed the education and outreach program prescribed in subdivision (a).

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(2) An alternative voice service is available for the affected customers in the affected area.

(c) Upon receipt of the notice to withdraw, the commission shall ~~conduct a technical review to~~ confirm that the alternative service has all of the following elements:

(1) Voice grade access to the public switched telephone network or its successor.

(2) Real-time, two-way voice communications.

(3) Access for end users of those services to the local emergency telephone systems described in the Warren-911-Emergency Assistance Act (Article 6 (commencing with Section 53100) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code), and where available, enhanced 911 access.

a (4) ~~That~~ A alternative services requiring ~~that require~~ residential power supply to operate are in compliance with the ~~shall also provide~~ backup-battery capability ~~consistent with~~ the standard s established by the Federal Communications Commission.

(d) The commission's confirmation process ~~technical review~~ shall be limited to the determination of whether the alternative service has the elements set forth in subdivision (c) and shall be completed within 120 days from receipt of notice from the telephone corporation pursuant to subdivision (b). If the commission fails to complete its technical review within 120 days from receipt of notice, the telephone corporation will be conclusively presumed to have complied with the requirements of subdivisions (b) and (c).

(e) Upon completion of the requirements of subdivisions (b), (c), and (d) for voice grade single-line circuit-switched legacy telephone services, but no sooner than January 1, 2020, a telephone corporation may elect to discontinue any legacy

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telephone service, upon giving no less than 90-days' prior notice to the affected customers and to the commission. If the discontinuance of legacy telephone service includes voice grade single-line services, the notice shall include information regarding the availability of an alternative service as confirmed ~~verified~~ by the commission ~~in the~~

~~technical review~~ , and how to seek ~~petition the~~ commission
for

review if the customer believes ~~of the availability of~~ the
alternative service is not available at the customer's
location ~~, and any environmental benefit that will come with~~
~~the discontinuance of legacy services and the migration to~~
~~alternative services~~ . During the notice period, the telephone
corporation shall continue to provide the legacy telephone
service to the affected customers, except a customer that
disconnects or changes the features of the service, but shall
have no obligation to provide the legacy telephone service to
any new customers in the affected area.

(f) ~~Notwithstanding Section 710, w~~ Within 30 days after
receipt

of a telephone corporation's notice of withdrawal of legacy
voice service, a customer may ask ~~petition~~ the commission in
writing to review the availability of the alternative service
at the customer's location. The commission shall review and
resolve the customer's inquiry within ~~issue an order disposing~~
~~of the petition not later than~~ 60 days of the customer's
request ~~after the filing of the petition~~ . The commission's
review shall be limited to determining whether an alternative
service, which has the elements set forth in (c), is available
to the customer at the customer's location. If the commission
determines ~~after an investigation~~ that an ~~no~~ alternative
service is not available to the customer at the customer's
location, the commission ~~shall attempt to identify a willing~~
~~provider of voice service to serve the customer. If no willing~~
~~provider is identified, the commission~~ may order the
withdrawing telephone corporation to provide voice service to
the customer at the customer's location for a period no longer
than 12 months after withdrawal. ~~The willing provider or t~~ T

he

withdrawing telephone corporation may utilize any technology
or service arrangement to provide the voice service ~~s~~ as long

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as it meets the requirements of subdivision (c).

(g) If an order is issued under subsection (f), the commission
shall evaluate, during the twelve-month period in which the

order is effective, whether an alternative service has become available for the affected customer. If an alternative service is not available, the commission may order the withdrawing telephone corporation to continue to provide voice service to the affected customer until such time as an alternative service is available at the customer's location. The withdrawing telephone company may use any technology or service arrangement to provide voice service as long as it meets the requirements in paragraph (c).

~~-(g) By September 1, 2019, the commission shall establish a universal connectivity program to ensure that those customers for whom the commission has ordered the withdrawing telephone corporation to provide voice services for the 12-month period in subdivision (f) will continue to receive voice service.~~

(h) Nothing in this section grants the commission jurisdiction or control over an alternative service except as specifically set forth in this section.

(i) Nothing in this section affects a telephone corporation's ability to withdraw services under any other law.

(j) Nothing in this section affects or changes the commission's authority to implement and enforce Sections 251 and 252 of the federal Communications Act of 1934, as amended (47 U.S.C. Secs. 251 and 252), including but not limited to the authority to arbitrate and enforce interconnection agreements pursuant to Section 252(b).

(k) Nothing in this section affects or changes the obligations of an incumbent local exchange carrier pursuant to Sections 251 and 252 of the federal Communications Act of 1934, as amended (47 U.S.C. Secs. 251 and 252). As used in this section, "incumbent local exchange carrier" means that term as

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defined in 47 U.S. Code Section 251(h).

REGISTERED SUPPORT / OPPOSITION:

Support

Asian Pacific American Community Center

Asian Pacific Islander American Public Affairs Association

Asian Resources Inc.

AT&T

Bay Area Council

Black Business Association

Boys & Girls Club El Dorado County Western Slope

CALinnovates

California Black Chamber of Commerce

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California Chamber of Commerce

California Conservation Corps Foundation

California Hispanic Chambers of Commerce

California Manufacturers & Technology Association

California Rangeland Trust

California Retailers Association

California Urban Partnership

Carlsbad Chamber of Commerce

Concerned Citizens Community Involvement

Congress of California Seniors

Do-It-Yourself Girls

Eskaton Foundation

Fresno Area Hispanic Foundation

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Fresno Center for New Americans

Greater Los Angeles African American Chamber of Commerce

Greater Sacramento Urban League

Greater Riverside Chambers of Commerce

Jobs and Housing Coalition

Kern County Black Chamber of Commerce

Lassen Senior Services

Modesto Chamber of Commerce

Monterey County Business Council

The Latino Council

Los Angeles Brotherhood Crusade

National Association of Advancement of Colored People - Los Angeles

National Latina Business Women Association - Inland Empire

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Organization of Chinese Americans - Sacramento

Pacific Grove Chamber of Commerce

Sacramento Regional Conservation Corps

San Diego North Economic Development Council

San Joaquin County Hispanic Chamber of Commerce

San Jose Police Officers' Association

Silicon Valley Leadership Group

Southern California Latino Policy Center

TechNet

TELACU Education Foundation

United Women's Organization

Women's Intercultural Network

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Opposition

Access Humboldt

Broadband Alliance of Mendocino County

BullsEye Telecom

California Alliance for Retired Americans

California Association of Competitive Telecommunications
Companies

California Brain Tumor Association

California Labor Federation

California Public Utilities Commission

Centro La Familia Advocacy Services

Communication Workers of America - District 9

ConnectTo Communications, Inc.

County of Mendocino

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The Greenlining Institute

Hunter Communications

Impulse Advanced Communications, LLC

Institute of Popular Education of Southern California

Media Alliance

National Consumer Law Center

National Hispanic Media Coalition

North Bay / North Coast Broadband Consortium

Public Citizen, Inc.

RingPlanet

San Diego Area Congregations for Change

Small Business California

Utility Consumers' Action Network

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TelePacific Communications

The Utility Reform Network

Numerous Individuals

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