



California Association of
Competitive Telecommunications Companies
Communications, Commerce, Community



AT&T



Consolidated
communications



April 2, 2019

The Honorable Jim Wood
California State Assembly
State Capitol, Room 6005
Sacramento, CA 95814

RE: AB 183 (Wood) – OPPOSE

Dear Assembly Member Wood:

Assembly Bill 183 imposes new data collection requirements on the California Public Utilities Commission (CPUC), triggered every time the Governor declares an emergency, and requires the CPUC to annually report detailed network infrastructure and performance information to the Legislature and post it on the CPUC's public website. The communications industry opposes AB 183.

Our industry knows and respects the importance of communications in the wake of emergencies and natural disasters. When these tragic events unfold, our first priority is public safety and continuity of service to our customers and communities. While there's understandable interest in restoration efforts after emergencies, unfortunately, we disagree that AB 183 will lead to any public safety benefit for California communities.

**COMMISSION ALREADY HAS
ACCESS TO INFORMATION**

The CPUC and its staff already have broad authority to require public utilities to answer questions, provide information, and submit reports on virtually any matter:

- Public Utilities Code Section 581 requires utilities to furnish tabulations and computations and answer all questions.
- Section 582 requires delivery of all maps, reports, accounts, books, papers, and records.
- Section 584 requires utilities to furnish such reports as the Commission may require.

However, AB 183 puts confidential information at risk through its new, unique requirement that the CPUC seek critical network infrastructure information for purposes of a new annual report and website posting. The CPUC can already provide any non-confidential information to the public.

NETWORK INFRASTRUCTURE AND PERFORMANCE INFORMATION

Information related to network infrastructure and performance is highly confidential for public safety and security reasons. Information detailing network facilities is marked confidential when submitted to the CPUC. Outage reports submitted to the Federal Communications Commission pursuant to federal law also are treated as confidential. The Legislature, by contrast, is an open forum and there is no mechanism to protect the confidentiality of this highly sensitive information.

INFORMATION REGARDING FACILITY RESTORATION IS PROPRIETARY

Further, the bill's focus on what type of facilities will be used to restore damaged infrastructure after every declared emergency raises additional concerns. In the competitive communications industry, these decisions are proprietary, and public release of this information, as discussed above, creates a risk for the safety and security of telecommunications networks .

OVERLY BROAD APPLICATION OF "STATE OF EMERGENCY"

The bill's requirement that data collection be automatically triggered by any state of emergency declared by the Governor is both overbroad and highly complex. Not all declared emergencies impact communications service. The geographic scope and duration of declared emergencies frequently are evolving and overlapping. Data collection, only as warranted by the facts, can and does occur under existing law and need not be tied to every declared emergency.

SUMMARY

The communications industry is fully engaged in working with the CPUC and the Legislature on many initiatives related to fires and natural disasters to ensure public safety (i.e. stricter priority levels, shorter time periods for repairs, and increased inspection intervals). Considerable resources have been devoted to implementing these CPUC's new infrastructure inspection requirements. The CPUC should report to the Legislature on the outcome of these and other initiatives already underway.

For all of these reasons, the industry respectfully opposes AB 183.