

Bill NUMBER: SB 1375 AMENDED
BILL TEXT

AMENDED IN SENATE MAY 12, 2010

INTRODUCED BY Senator Price

FEBRUARY 19, 2010

An act to amend Section 2883 of the Public Utilities Code,
relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1375, as amended, Price. Telephone corporations: residential
telephone service: ~~911~~ "911" calls.

~~Existing~~

(1) *Existing* law requires all
local telephone corporations, excluding providers of mobile telephony
service and mobile satellite telephone service, to the extent
permitted by existing technology or facilities, to provide every
existing and newly installed residential telephone connection with
access to "911" emergency service regardless of whether an account
has been established.

This bill would instead require local telephone corporations to
provide ~~a connection that has the capacity to place a "911"~~
~~call rather than providing~~ every subscriber of
tariffed residential basic exchange service, rather than every
existing and newly installed residential telephone
connection , with access to "911" emergency service.

(2) *Existing* law requires telephone corporations to inform
subscribers of the availability of "911" emergency service in a
manner determined by the Public Utilities Commission.

This bill would delete that requirement and instead would require
telephone corporations to inform residential subscribers who have
received notice of suspension or disconnection of service for
nonpayment of certain information, including options to avoid
suspension or disconnection of service and the availability of "911"
emergency service.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2883 of the Public Utilities Code is amended to
read:

2883. (a) (1) *The Legislature finds*
and declares all of the following:

(A) *As originally enacted, Section 2883 required local telephone*
corporations to provide a residential telephone connection with no
customer account attached, also known as a warm line, access to "911"
emergency service. This section took effect in 1995 when basic local

exchange telephone service was provided exclusively by incumbent wireline providers operating within their franchise territories. Local exchange competition was nonexistent and wireless telephones were expensive and not in widespread use.

(B) At that time, the number of warm lines was very small. The practice of leaving warm lines in place continued the availability of "911" emergency service upon disconnection and permitted new residential service orders to be completed with minimum cost and delay.

(C) In recent years, the providers of warm line service have lost a significant percentage of their customer base to competitors. Today, the number of warm lines in California has increased in proportion to the loss of wireline customers. An estimated 2,000,000 warm lines exist today and that number continues to grow.

(D) Rather than being converted to new active service accounts, many warm lines remain in place indefinitely, even when customers switch to other voice carriers that provide "911" emergency service access. As warm lines age, deterioration can create shorts in these lines that trigger "911" calls, also known as phantom "911" calls because there is no person making the call.

(E) Responding to phantom "911" calls places a drain on public safety resources including increased costs for public safety responders. In addition, the state pays providers on a monthly basis, based on volume, to maintain number and location records in the state "911" database, including the records for increasing numbers of warm lines.

(F) The cost to local telephone companies to energize and maintain warm lines is the same as for active service accounts. Energy provided to warm lines at residences where access to "911" emergency service is being obtained through a different provider is a waste of limited natural resources.

(2) It is the intent of the Legislature to amend Section 2883 in a manner that continues to provide a public safety net in a competitive telecommunications market, eliminates phantom "911" calls, conserves energy for productive uses, and limits costs to the state, local governments, and local telephone corporations.

(b) All local telephone corporations, excluding providers of mobile telephony service and mobile satellite telephone service, as defined in Section 224.4, to the extent permitted by existing technology or facilities, shall provide every ~~existing and newly installed residential telephone connection with a connection that has the capacity to place a "911" call regardless of whether an account has been established.~~ subscriber of tariffed residential basic exchange service with access to "911" emergency service.

~~(b)~~

(c) The commission shall prohibit any corporation from terminating ~~a connection~~ access to services described in subdivision ~~(a)~~ (b) for nonpayment of any delinquent account or indebtedness owed by the subscriber to the telephone corporation. A subscriber and a telephone corporation may arrange payment schedules to regain full service.

~~(c) The commission shall require telephone corporations to inform subscribers of the availability of the services described in subdivision (a) in a manner determined by the commission.~~

(d) A local telephone corporation shall inform residential subscribers who have received a notice of suspension or disconnection of service for nonpayment of all of the following information:

(1) The availability of the "911" emergency service described in subdivision (b).

(2) Options that may be available to avoid suspension or disconnection of service.

(3) Other options that may be available for obtaining access to "911" emergency service consistent with a customer education program, if adopted by the commission.

~~—(d)~~

(e) This section shall not be construed to relieve any person of an obligation to pay a debt owed to a telephone corporation.

~~—(e)~~

(f) This section ~~not shall~~ shall not require a local telephone corporation to provide ~~connections that have the capacity to place "911" calls~~

"911" access pursuant to this section if doing so would preclude providing service to subscribers of residential telephone service.

SB 1375 Fact Sheet

- SB 1375 is a bill to amend Section 2883 of the Public Utilities Code which requires telcos to provide warm lines.
- Telcos are currently mandated to provide 911 dialing capability to all locations in their service footprint. Active residential customers receive their 911 capability as part of their tariff service. Warm line is the name given to service provided at a location which can dial 911 but has no active telco customer.
- Warm lines can only dial 911 and the telco business office. Warm line service can be found at:
 - 1) homes that have chosen to be wireless only
 - 2) homes that have chosen to use cable phone service
 - 3) and, unfortunately in today's economy, at homes that are unable to afford any type of telephone service.
- The ATT warm line service is called QDT (Quick Dial Tone) and the Verizon service is called EDT (Express Dial Tone). Because there is no active customer associated with these lines, Quick Dial Tone and Express Dial Tone will appear in the customer name field on the 911 ALI screen.
- Warm lines are not actively maintained by the telcos and, as such, trouble conditions may cause spurious calls to 911 PSAPs. These calls are often referred to as phantom calls because it appears no caller on the line. It is common for repeated calls to be generated by the same warm line telephone number due to trouble conditions. Response to these calls is dependent upon local law enforcement protocol.
- Recent telco reports indicate the current number of warm lines to be approximately 2,000,000 statewide. The CPUC has generated a report that estimates approximately 3% of warm lines 911 calls are legitimate calls for service.
- CalNENA, CSSA (CA State Sheriffs Association) and CCTF (911 County Coordinator Task Force) have participated in numerous meetings and conference calls regarding the verbiage of SB1375. All parties agreed that voluntary disconnect locations (as in #1 and #2 above) should be not be provided warm line service. An agreement could not be reached regarding involuntary/non-payment disconnects (as in #3).
- The bill sponsors (ATT, Verizon and Frontier) and Public Safety were unable to reach a consensus regarding public access to 911 for involuntary disconnects. As a result, CalNENA and CCTF issued opposition letters to SB1375. We feel 911 and emergency services should be accessible to all CA citizens.

(Date)
(Assembly member or Sheriff's Name)
(Address)
(Address)
(Address)

RE: Senate Bill 1375 (Price)

Dear Assembly Member XXXX or Sheriff XXXX:

I am writing as a 9-1-1 professional to express my opposition to SB1375 which is currently being considered by the State Assembly. Since the bill was introduced in the Senate 9-1-1 groups including the California Chapter of the National Emergency Number Association (CALNENA) and the County Coordinators Task Force (CCTF) have worked with the Telephone Corporations to modify the provisions to a form that is acceptable to the industry as well as to the public safety community. To date those efforts have been unsuccessful.

The stated purpose of the bill is to address EDT/QDT lines that have been created since the inception of the 9-1-1 Emergency Communications system in California. In accordance with the provisions of the California Public Utilities Code Section 2883 no corporation may disconnect access to 9-1-1 emergency services. The connections providing this access are called EDT or QDT by the various corporations providing them. There are a large number of these lines which are no longer active due to the migration to wireless and VoIP phone services.

Unfortunately, the bill would also disconnect subscribers who are involuntarily separated due to their inability to pay from 9-1-1 service. I feel that 9-1-1 provides critical access to emergency services and should be provided to all Californians regardless of economic circumstances. I have included a fact sheet on SB 1375 that I hope that you will consider when analyzing the bill. As a representative of the public safety community I join public safety organizations including CALNENA and CCTF in opposing any provision that would deny access to 9-1-1 emergency services to any member of the California community.

Sincerely,

Your Name
(Title)
(Address)
(Email)
(Phone)