

Consumer Protection and Enforcement Division

MONTHLY ACTIVITY REPORT

September 2023



**California Public
Utilities Commission**

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TRANSPORTATION LICENSING AND ANALYSIS BRANCH (TLAB)

TLAB’s Licensing Section analyzes applications from carriers, issues permits and certificates to carriers that meet state requirements, writes proposed decisions to approve or deny carriers’ CPCN applications, manages changes to carrier operations, communicates with carriers, and tracks carrier compliance with permit requirements. TLAB’s Analysis Section functions as the Commission’s subject matter expert on policy matters, providing technical and advisory support to commissioners, administrative law judges, and all levels of agency management on transportation matters.

Processing Carrier Applications

TLAB’s Transportation Licensing Section is processing and managing applications for over 7,200 carriers throughout California. Items processed in September 2023 include applications, vehicle and driver updates, vehicle safety inspection results, and other requests. This work is accomplished through the CPUC Transportation Carrier Portal (TCPortal), an online system that allows carriers to submit applications and other requests electronically and make payments online. The TCPortal tracks certain licensing activities as shown in the following tables and figures.

Figure 1. Total Permits & Certificates

Total Permits and Certificates. Figure 1 shows the total number of operating authorities (active and suspended) by month.

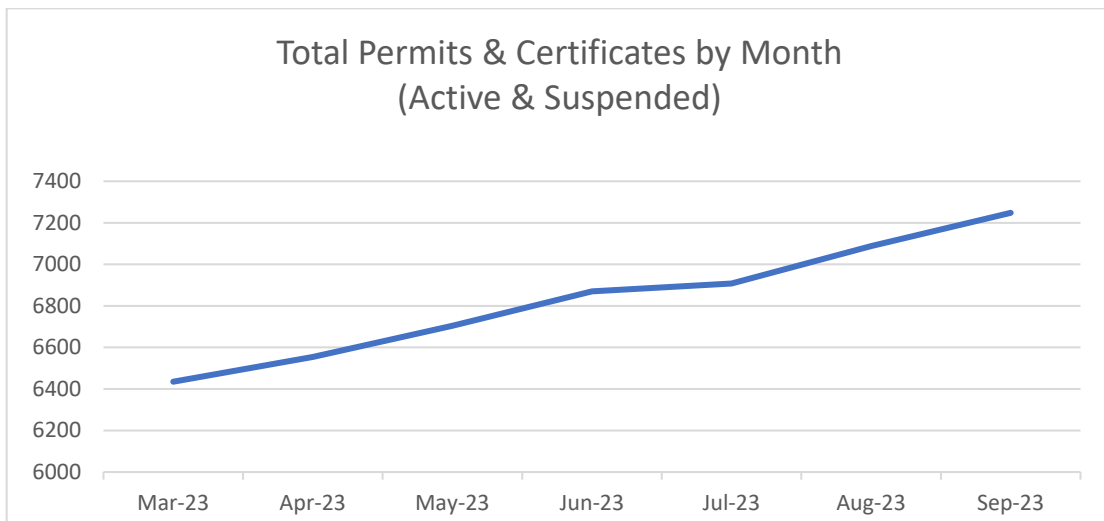


Table 1. Permits and Certificates by Category

Permits and Certificates by Category. The Commission grants permits and certificates for five categories of transportation carriers. Table 1 shows total numbers for those categories in the current month.

Carrier Type	Current Total
Transportation Charter Party	7109
Passenger Stage Corporation	105
Vessel Common Carrier	17
Transportation Network Company	17
Autonomous Vehicle	8

Figure 2. Monthly Completions of Permit Categories

Monthly Completions of Permit Categories. In addition to new applications for operating authorities, TLAB processes refile applications, transfer applications, and renewal applications. Figure 2 shows the numbers of each category completed by month.

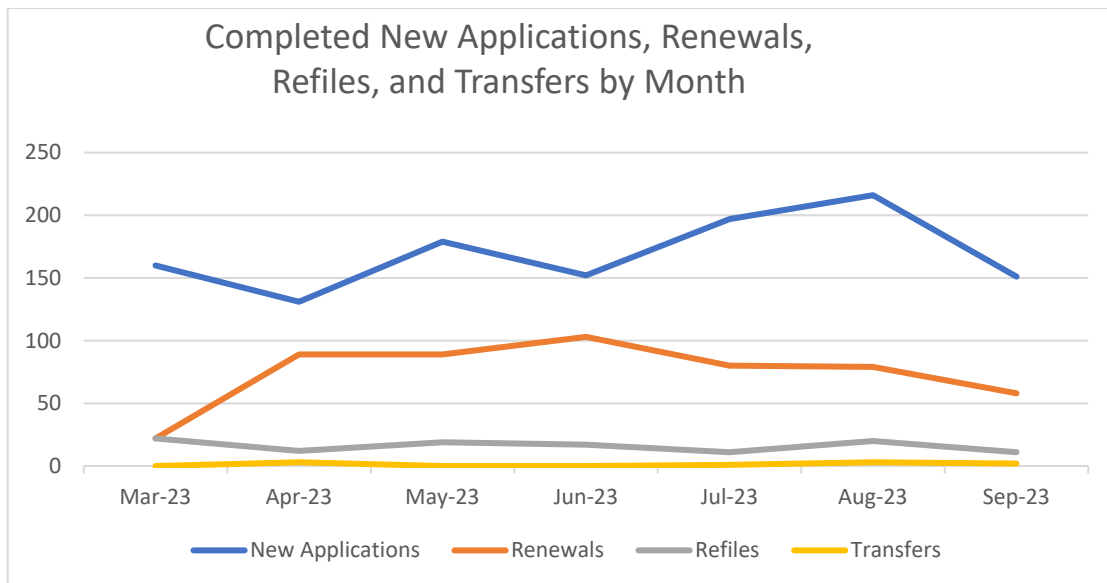


Figure 3. Suspensions and Revocations by Month

Suspensions and Revocations. Carriers can be suspended or revoked for various reasons such as failing to maintain active insurance or file annual or quarterly PUCTRA statements. Carriers may also voluntarily suspend operations. Figure 3 shows both types of suspensions/revocations by month.

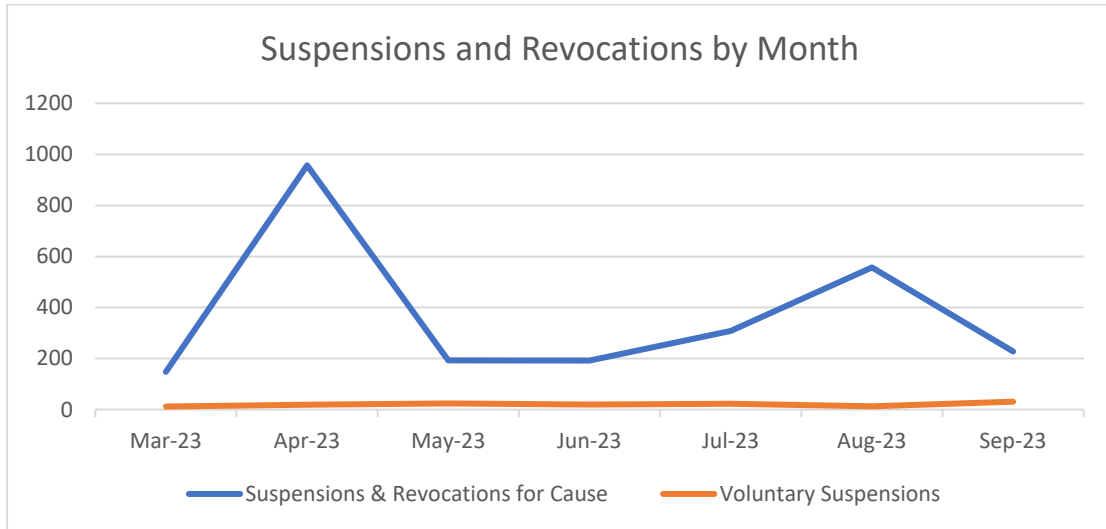


Figure 4. Average Processing Times

Average Processing Times. The total time to process an application, from initial receipt to issuance or denial of a permit or certificate, depends on internal processing time and on the time for external entities to provide necessary information. Upon receipt of applications, CPUC staff review them for completeness and issue deficiency notices to carriers for any outstanding items.

Examples of these items include evidence of insurance coverage filed by the carrier’s insurance agent; evidence of compliance with drug and alcohol testing requirements; and inspection by the California Highway Patrol for vehicles with a seating capacity of 11 or more. Figure 4 shows the average total processing time for the major categories of permits and certificates processed by TLAB.

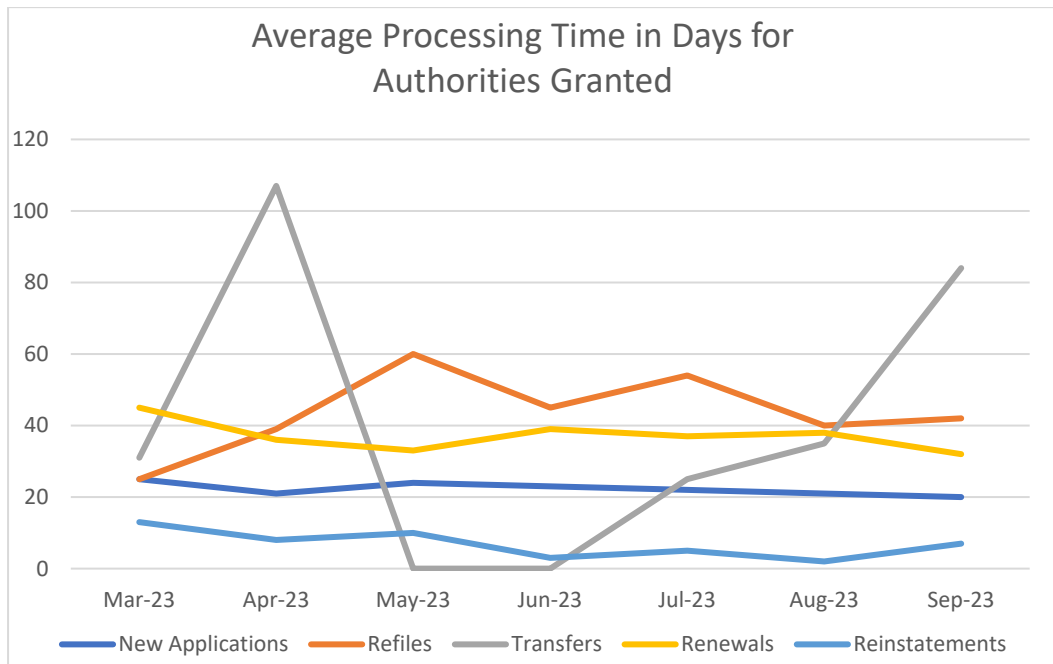
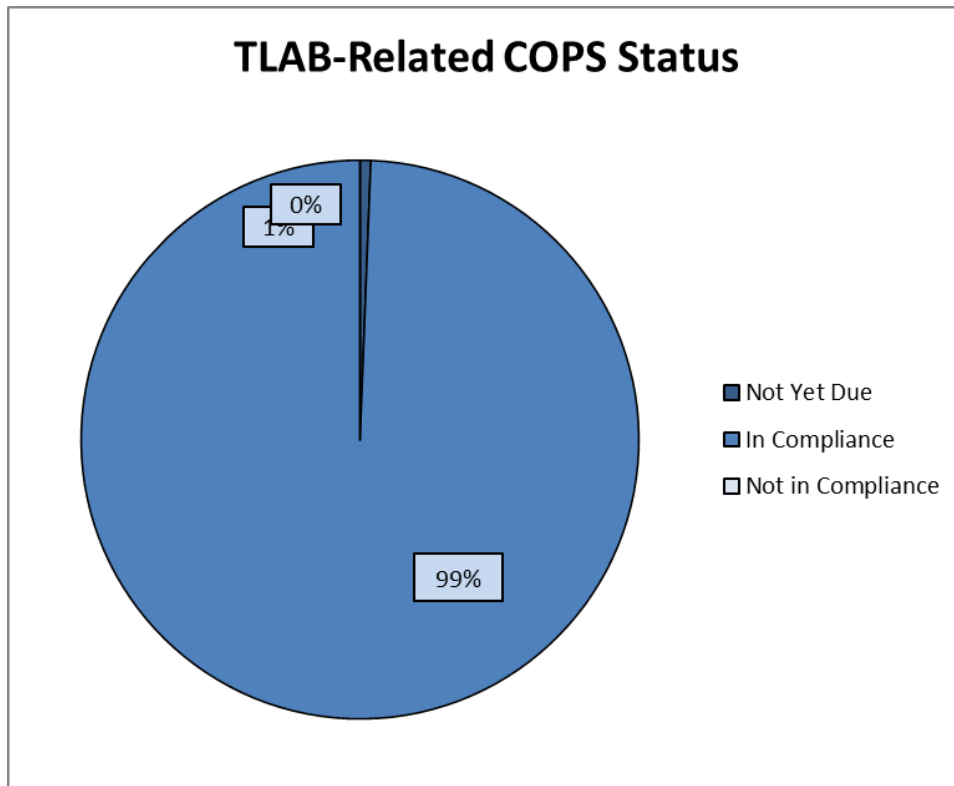


Figure 5. Compliance with Ordering Paragraphs

The Transportation Program is currently responsible for 709 separate Ordering Paragraphs. Many Ordering Paragraphs result from decisions to approve CPCNs for passenger stage corporations, and include permit requirements such as obtaining appropriate insurances, enrolling in drug testing and California Department of Motor Vehicles (DMV) pull-notice programs, receiving bus terminal inspections by CHP and others. Other OPs uphold TEB enforcement actions and impose fines for carrier violations of law and wrongdoing against consumers. OPs also introduce new reporting requirements and transportation policies. Figure 5 shows compliance with the Ordering Paragraphs.



Current Policy Proceedings. The Transportation Analysis Section supports three current proceedings. R.12-12-011 develops regulations relating to transportation network companies and autonomous vehicles. R.19-02-012 implements Senate Bill 1376, incentivizing transportation network companies to provide on-demand service for persons with disabilities, including wheelchair users who need a wheelchair accessible vehicle. R.21-11-004 implements the California Clean Miles Standard and Incentive Program, enacted through Senate Bill 1014, requiring the California Air Resources Board and the Commission to jointly work to lower greenhouse gas emissions from transportation network companies.

R.12-12-011 / TNC Rulemaking / Mason & Chiv / Shiroma

1. No docket activity.

R.19-02-012 / TNC Access Rulemaking / Chiv / Shiroma

1. No docket activity.

R.21-11-014 / Clean Miles Standard / Wang / Shiroma

1. No docket activity.

Applications for Rehearing of Autonomous Vehicle Permits. On September 14, the City of San Francisco filed applications for rehearing of two recently approved resolutions authorizing Cruise and Waymo to expand driverless passenger service:

- A.23-09-014 for Rehearing of Resolution TL-19145 (Cruise)
- A.23-09-015 for Rehearing of Resolution TL-19144 (Waymo)

Carrier Application Proceedings. The Transportation Licensing Section assists the Commission in the regulation of Passenger Stage Corporations and Vessel Common Carriers. Passenger Stage Corporations (PSCs) are carriers that transport passengers between points on an individual fare basis. Examples are fixed-route bus services and “share-the-ride” airport shuttle services. Vessel Common Carriers (VCCs) are carriers that transport persons or property between points in the State. Examples are commute ferry services in the San Francisco Bay and services between California mainland points and Catalina Island. PSCs and VCCs are common carriers and must file requests with the Commission through a formal process. Both carrier types require a “certificate of public convenience and necessity” (CPCN) from the Commission for the authority to operate in California.

- **A.23-01-002 / Application for Rehearing of Resolution M-4865. / 09/21/2023 The Commission adopted D.23-09-022 - Order Modifying Resolution M-4865 And Denying Rehearing As Modified.**

- **A.23-01-018** / Application of Island Boat Service (VCC-80) For Authorization to Increase Passenger Fares on Its Vessel Common Carrier Service Between Vessels and ShorePoints and Between all Points and Places On or Within Three Miles of Santa Catalina Island and For Zone of Rate Freedom / **09/21/2023 ALJ ruling directing applicant to file supplemental information responses.**
- **A.23-05-006** / Application of STAR & CRESCENT BOAT COMPANY (VCC-63), doing business as FLAGSHIP CRUISES & EVENTS, for a Passenger Fare Increase and Authority to Establish a Zone of Rate Freedom for its Vessel Common Carrier Service on San Diego Bay Between the City of Coronado and the City of San Diego. / **09/20/23 Ruling issued reopening the record regarding an unreported merger.**
- **A.23-06-014** / Application of MARIN AIRPORTER (PSC-990) for authority to increase passenger fares for service between Marin County and San Francisco Airport (SFO) and to expand its existing Zone of Rate Freedom (ZORF). / **09/14/2023 Executive Director Order D.23-09-003 issued granting the Application.**
- **A.23-07-009** / In the Matter of the Application of: THE SONOMA COUNTY AIRPORT EXPRESS, INC. (PSC-1120) to modify Applicant's existing Certificate of Public Convenience and Necessity (CPCN) to abandon service between hotels in Sonoma County and **wineries** located in Santa Rosa, Kenwood and Geyserville. / **09/13/2023 Ruling directing applicant to file an amended application that complies with Rule 3.4 of the Commission's Rules of Practice and Procedure by Wednesday, September 27, 2023.**

Joint Agency Collaboration/Outreach/Training

Joint Agency Collaboration. Information sharing and collaboration with other transportation agencies is a critical part of TLAB's work.

- Bi-monthly TLAB Staff and CARB Staff coordination meeting on the Clean Miles Standard
- Monthly TLAB and Department of Motor Vehicles Autonomous Vehicles meeting
- Monthly TLAB Meeting w/ California Highway Patrol

Outreach and Education. TLAB provides outreach and education to potential and current carriers through presentations on application fundamentals at venues such as SFO and LAX, and attendance at functions sponsored by transportation-related organizations such as the Greater California Livery Association and the California Bus Association.

Training. TLAB managers and staff regularly attend all trainings required by the Commission, as well as

[CPED Monthly Activity Report / September 2023](#)

trainings for developing work skills and industry-specific trainings. For example:

- Cybersecurity Training
- Hot Weather Heat training
- New Employee Training
- Supervisory Development Training
- TCT Phase 1-training
- Ethics Training

TRANSPORTATION ENFORCEMENT BRANCH (TEB)

The Transportation Enforcement Branch (TEB) regulates Charter-Party Carriers of Passengers (TCP) (e.g., limousines, airport shuttles, chartered and scheduled bus operators, Transportation Network Companies (TNC)) and vessels in California to safeguard the public by ensuring compliance with Commission General Orders (GO), Public Utilities (PU) Codes, and other applicable laws and regulations. TEB ensures compliance through investigations, enforcement, proactive compliance inspections, and field surveillance and inspections. TEB conducts outreach and training activities for passenger carriers, law enforcement, and prosecutors, on regulations that affect passenger carriers.

Consistent with the Commission's Strategic Directives¹ and Enforcement Policy,² TEB developed and utilizes a Safety Management System that is implemented through the following pillars: Transportation Safety Assurance, Transportation Risk Management, and Transportation Safety Promotion.

Transportation Safety Management System

TEB reports the following progress for September 2023 for the following program elements.

Transportation Safety Assurance – Assuring the Commission's regulated entities comply with the law and have sufficient training and resources to ensure the safety of the public, their workers, and the environment. For TEB, this includes Investigations, Carrier Inspections, Field Operations, and related Enforcement Activities.

- Field Operations:
 - Cache Creek Casino
 - Golden 1 Center
 - Oakland International Airport (OAK)
 - Otay Mesa
 - Red Hawk Casino
 - Sonoma County Airport (STS)

- Formal Enforcement Proceedings:

I.21-12-001/Uber Technologies, Inc., and Uber Black Sub-carriers/ALJ Stevens/Commissioner Shiroma. On December 2, 2021, the Commission opened an Order Instituting Investigation (OI) to determine whether passenger carriers violated any provisions of the Public Utilities Code or other applicable rules and regulations.

 - On August 21, 2023, the statutory deadline for this proceeding was extended to

¹ [CPUCs Strategic Directives \(ca.gov\)](https://www.cpuc.ca.gov/strategic-directives)

² [CPUC Adopts Enforcement Policy to Promote Maximum Compliance, Transparency, and Public Safety](#)
CPED Monthly Activity Report / September 2023

September 30, 2024.

- Consumer Affairs Branch (CAB) Referrals:
 - Effective June 16, 2023, CAB is responsible for all transportation-related complaints. CAB now processes transportation complaints, maintains consumer complaint statistics, and refers complaints that require further investigation to TEB. For the month of September, CAB referred **one (1)** transportation complaint, which was assigned for investigation.

Transportation Risk Management – Continually identifying, assessing, and reducing operational risks through mitigation measures faced or posed by the entities the CPUC regulates. Continued internal operations analysis with data collected from TEB field operations.

Transportation Safety Promotion – Supporting efforts to assure that the public and regulated transportation entities can make informed choices and know how to respond to unsafe situations. For TEB, this includes Training and Education, Outreach Efforts with Industry and Law Enforcement, and Commission Engagement.

- Greater California Limousine Association (GCLA)-Redondo Beach
- Monterey Regional Airport (MRY)
- Charles M. Shulz-Sonoma County Airport (STS)

Table 2. TEB Enforcement Activities

12 Month Enforcement Activity	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sept 2023	Total
Open Investigations	80	77	74	76	70	76	81	74	70	84	78	65	N/A
New Investigations	27	8	7	13	10	15	12	11	8	19	9	3	142
Investigations Completed	9	11	12	9	15	23	8	20	9	16	10	16	158
Investigations Open Longer than 6 Months	21	25	25	23	37	20	34	13	18	11	12	58	N/A
% Of investigations Open Longer than 6 Months	26%	32%	32%	30%	52%	26%	42%	18%	25%	13%	15%	89%	N/A
Cease and Desist Notices	20	13	2	4	5	7	15	8	8	12	21	18	133
Warning Letters	2	0	0	1	1	0	2	4	3	0	0	1	14
Telephone Disconnects	0	0	0	0	0	0	0	0	0	0	0	0	0
Citations	4	7	1	2	4	2	2	4	1	3	2	2	34
Civil Compromise Actions	13	5	0	1	0	1	2	0	2	5	9	6	44
Vehicle Impounds	13	9	1	0	1	1	1	0	5	4	16	5	56

**Figure 6. TEB Fines Assessed and Amounts Collected from Investigations
January 2023 – September 2023**

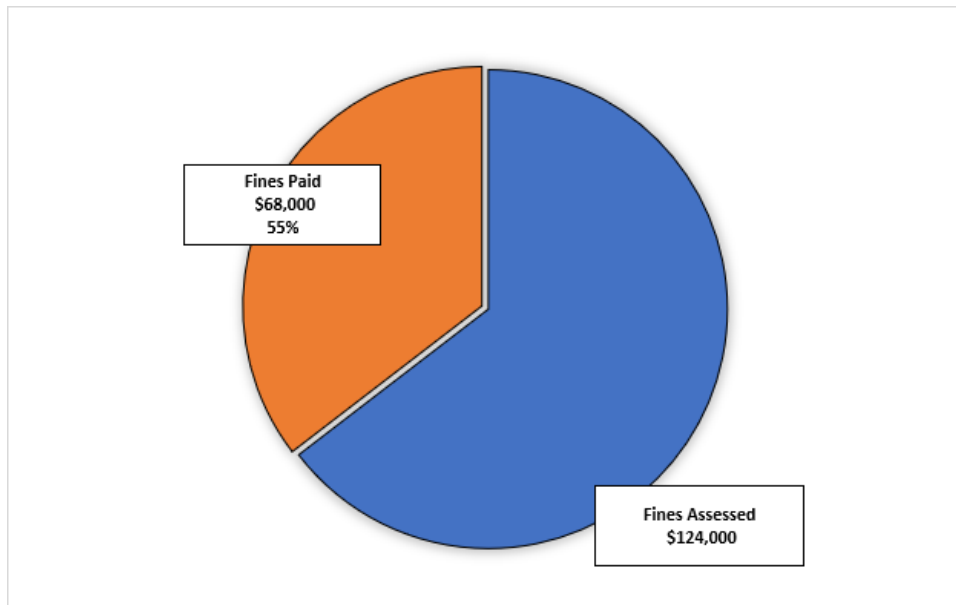


Table 3. Citation Appeal Proceedings

Docket No.	Entity	Status
K.22-11-012	Edwin Torres, North Hollywood, unlicensed	Awaiting an appeal hearing date. No updates for September 2023.
K.23-01-021	Ali B Zanjani dba Royalty Limousine (TCP 16194)	On September 28, 2023, the department received ALJ Rambo's Final Resolution reducing the \$5,000 fine to \$1000. The request for a payment plan was denied. The fine payment is due by 11/6/2023.
K.23-04-007	Lkhavasuren Dulmaa, Moraga, unlicensed. (PSG 5804)	Prior to the June 22, 2023, hearing, Mr. Dulmaa and CPED resolved the citation. Mr. Dulmaa will pay a \$1,000 fine and is working with TLAB to obtain TCP authority. ALJ Mathews accepted the settlement agreement, and instructed Mr. Dulmaa to withdraw his appeal. Parties awaiting ALJ Mathews' final Resolution. No updates for September 2023.

Table 4. TEB Field Operations – Probable Violations and Observation Summary

Month	Transportation Charter-Party (TCP)		Transportation Network Companies (TNC)		Passenger Stage Corporations (PSC)	
	Observed	Probable Violations	Observed	Probable Violations	Observed	Probable Violations
Sep 2023	25	25	66	21	0	0
Aug 2023	61	31	92	42	0	0
Jul 2023	61	5	25	8	0	0
Jun 2023	79	10	18	5	0	0
May 2023	16	3	335	66	1	0
Apr 2023	204	47	113	47	1	1
Mar 2023	79	22	13	6	2	0
Feb 2023	26	10	69	19	0	0
Jan 2023	144	32	110	85	0	0
Dec 2022	72	14	37	20	0	0
Nov 2022	144	28	46	16	0	0
Oct 2022	78	18	321	49	3	0

Table 5. Joint Operations with Law Enforcement Agencies

Agency	Operation
Sacramento Police Department (SACPD)	TCP and TNC passenger carrier operation at the Golden 1 Center in Sacramento.
Sonoma County Airport Enforcement Unit	TNC and PSC passenger carrier operation at Sonoma County Airport in Santa Rosa.
California Highway Patrol Border Patrol Division	TNC and PSC passenger carrier operation in Otay Mesa.
San Jose Mineta International Airport Enforcement Unit	TCP, TNC, and PSC passenger carrier operation at San Jose Mineta International Airport (SJC).
California Highway Patrol	TCP, TNC, and PSC passenger carrier operation at Cache Creek Casino in Brooks.
California Highway Patrol	TCP, TNC, and PSC passenger carrier operation at Red Hawk Casino in Placerville.

UTILITIES ENFORCEMENT BRANCH (UEB)

UEB protects California utility consumers from fraud and abuse by developing enforcement mechanisms and ensuring service providers comply with consumer protection laws and regulations. UEB investigates alleged violations by utilities, including communications (both wireline and wireless), energy (both electric and gas), and water companies. When sufficient evidence of violation is uncovered, UEB brings cases before the Commission to seek appropriate penalties and remedies for consumers.

Monthly Highlights

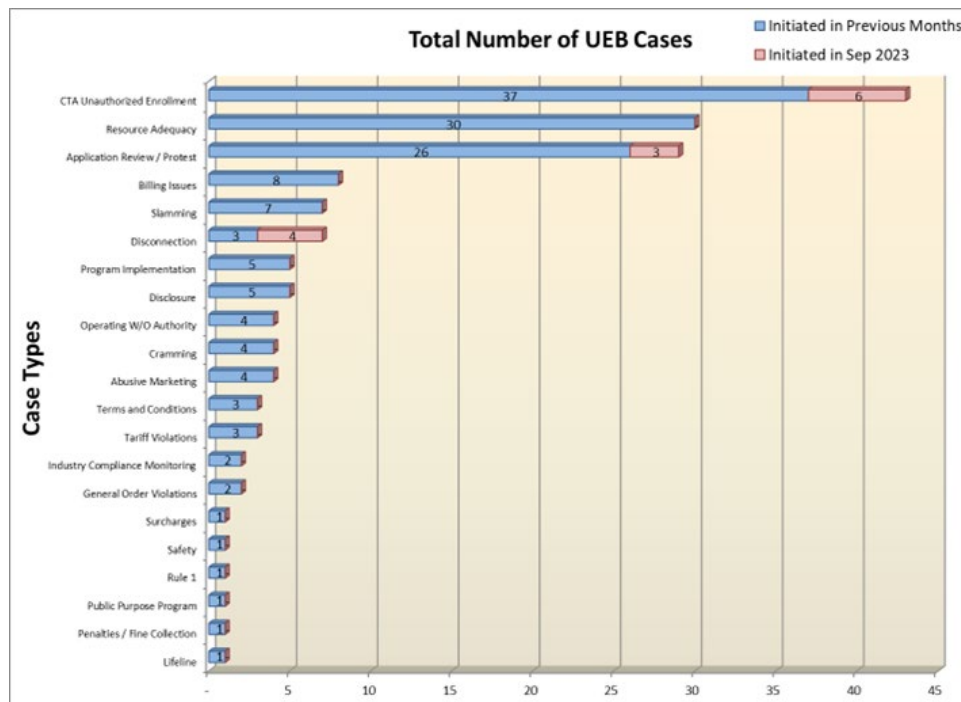
- **MetroPCS OII (I.22-04-005):** On August 31, 2023, CPED filed its opposition to MetroPCS' motion to dismiss the OII. In August, MetroPCS filed an amended motion to dismiss the OII with prejudice in light of findings by the U.S. District Court for the Northern District of California in the federal litigation addressing the issues that are also raised in this OII. On September 6, 2023, ALJ Mason granted MetroPCS' request to file a reply brief to CPED's opposition to MetroPCS' Amended Motion to Dismiss the OII. On September 11, 2023, MetroPCS filed its reply brief arguing that it has fully responded to CPED's data request and that the deadline for the Commission to appeal the Federal District Court's recent decision and judgment has passed and the Commission has not filed a notice of appeal.
- **Orange County Power Authority RA Citation Appeal (K.23-05-019):** On September 7, 2023, ALJ Kelly issued an email ruling setting a status conference for December 28, 2023 and ordered a joint status conference statement no later than December 13, 2023. On September 11, 2023, CPED responded to OCPA data request CPED-c1, requesting copies of all RA citations issued by the Commission in 2020, 2021, 2022 and 2023.
- **Shell Energy North America (SENA) RA Citation Appeal (K.21-11-018):** On September 8, 2023, SENA requested the issuance of a subpoena directing Energy Division to produce documents. On September 29, 2023, ALJ Cai issued a ruling directing SENA to respond to questions and concerns related to its subpoena within 10 days.
- **Desert Community Energy (DCE) RA Citation Appeal (K.23-05-017):** On September 11, 2023, CPED responded to DCE data request CPED-c1, requesting copies of all RA citations issued by the Commission in 2020, 2021, 2022 and 2023.
- **Orange County Power Authority (OCPA) RA Citation Appeal (K.22-05-017):** On September 11, 2023, CPED responded to OCPA data request CPED-c1, requesting copies of all RA citations issued by the Commission in 2020, 2021, 2022 and 2023. On September 29, 2023, CPED and OCPA filed a joint statement of facts and individual legal briefs on commercial impracticability.

- Lingo Telcom of the West (Resolution UEB-014):** On September 29, 2023, CPED published for public comment draft Resolution UEB-014 seeking the Commission’s approval for the Administrative Consent Order and settlement agreement with Lingo. Lingo agrees to pay \$320,000 to the general fund to resolve all issues CPED raised regarding its failure to include the CAB toll-free number on its customer’s bill. The published resolution is subject to a 30-day comment period.

Key Activities

UEB is working on a total of 162 cases. Investigations center primarily on CTA Unauthorized Enrollment, Resource Adequacy, and Application Review/Protest. UEB’s cases come from a variety of sources, with Inter-Division referrals and UEB’s own scanning activities playing key roles.

Figure 7. UEB Total Number of Cases by Type as of September 30, 2023



Citations/Fines/Reparation

During the month of September 2023, UEB issued two RA Citation totaling \$174,048.

Cumulative 2023 fines, reparations and penalties imposed are shown below.

Table 7. UEB Fines, Reparations, and Penalties

Date	Citations/Fines/Reparation
January – August	\$21,406,888
September 2023	\$ 174,048
Cumulative 2023	\$21,580,936

- **Resource Adequacy (RA) Citation Program:** UEB issues citations and levies fines to enforce Load Serving Entities' (LSE) compliance with system, local, and flexible resource adequacy requirements pursuant to Resolution E-4195, as modified by Decisions 10-06-036, Decisions 10-06-038, 11-06-022, 14-06-050, 19-06-026, 20-06-031, 21-06-029, 22-06-050 and 23-06-029. In September 2023, UEB issued two citations totaling \$174,048.00 and received \$745,387.20 in citation penalty.
- **Disconnection Citation Program:** UEB issues citations to enforce compliance with the disconnections-related consumer protection rules in D.20-06-003. This citation program is applicable to Southern California Edison Company (SCE), Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas), collectively referred to as California's large investor-owned utilities (IOUs). On August 31, 2023, UEB issued 58 Disconnection Citation (No.002-059) to SoCal Edison in the amount of \$58,000. This citation was paid on September 29, 2023.
- **Core Transport Agent (CTA):** UEB reviews CTA-related complaints received by the Commission to enforce compliance with the standards for verification of change in provider requirements in D. 18-02-002, and to identify acts constituting grounds for suspension or revocation of registration pursuant to Pub. Util. Code Section 983.5.

In September, UEB reviewed 89 CTA-related complaints received by the Consumer Affairs Branch (CAB) in August 2023 and identified 17 needing investigation for potential unauthorized enrollment. Staff issued five data requests for proof of enrollment authorization. UEB has received proof of enrollment authorization for 10 customers; 2 customers did not have information in the CIMS database for staff to data request; and 1 customer admitted someone in their household enrolled into CTA services. At this

time, staff is awaiting one CTA's data request response and are contacting customers to confirm the legitimacy of proof of authorization. Therefore, staff's investigation for August is ongoing.

On September 21, 2023, Fiscal received and processed payment for Citation No. UEB-003-0188 (issued on August 23, 2023 for \$1,000.

Table 8. UEB CTA-Related Complaints

Month Received	CTA-Related Complaints		Data Requests Issued	Proof of Authorization Obtained	Citations Issued	Cease and Desist Letters Issued
	Total Reviewed	Unauthorized Enrollment				
September	89	17	5	13	0	0

Compliance with Ordering Paragraphs

There were no new Ordering Paragraphs added to UEB's COPS tracker for the month of September. UEB was responsible for 41 separate Ordering Paragraphs. As of September 2023, 41 of the Ordering Paragraphs (representing 100%) have been complied with, thus none are out of compliance.

Ordering Paragraphs related to UEB's work are attributable to the imposition of fines, adoption of settlements, ordering of consumer refunds or reparation and other remedies and corrective actions, including reporting requirements, resulting from UEB's investigations of violations of law and wrongdoing against consumers.

The numbers reported above tracks compliance with ordering paragraphs assigned to UEB and do not include tracking for compliance with payment of fines, penalties, surcharges, or the like, which are assigned to Fiscal Office under the COPs system. However, UEB staff also tracks such payments separately in our case management system and informs fiscal of any identified issues.

Table 8. UEB-Related Proceedings

Docket No.	Title	ALJ	Commissioner
R.18-07-005	Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs.	Kelly	Houck
K.19-03-024	Appeal of San Jose Clean Energy to Citation E-4195-0052 issued on February 27, 2019 by the Consumer Protection and Enforcement Division.	Kim	N/A
K.21-03-005	Appeal of San Diego Community Power to citation E-4195-98 issued on February 3, 2021 by Consumer Protection & Enforcement Division.	Chiv	N/A
K.21-03-006	Appeal of Western Community Energy to citation E-4195-99 issued on February 9, 2021 by Consumer Protection & Enforcement Division.	Wercinski	N/A
K.21-11-018	Appeal of Shell Energy North America to citation E-4195-113 issued on October 21, 2021 by Consumer Protection & Enforcement Division.	Cai	N/A
K.22-05-017	Appeal of Orange County Power Authority to citation E-4195-116 issued on April 20, 2022 by Consumer Protection & Enforcement Division.	Petersen	N/A
K.23-05-017	Appeal of Desert Community to citation E-4195-133 issued on April 17, 2023 by Consumer Protection & Enforcement Division.	Chiv	N/A
K.23-05-019	Appeal of Orange County Power Authority to citation E-4195-134 issued on April 24, 2023, by Consumer Protection & Enforcement Division.	Kelly	N/A
I.22-04-005	Order Instituting Investigation on the Commission's Own Motion into MetroPCS California LLC Failure to Remit Prepaid Mobile Telephony Service Surcharges and User Fees	Mason	Houck
I.22-10-007	Order Instituting Investigation into the Operations and Practices of TC Telephone and Order to Show Cause to Determine Whether Respondents Violated the Laws,	Mason	Shiroma

	Rules, and Regulations Governing the California Universal LifeLine Program		
K.22-10-024	Appeal of Orange County Power Authority to citation E-4195-125 issued on September 16, 2022 by Consumer Protection & Enforcement Division.	Zhang	N/A
K.22-11-007	Appeal of Constellation New Energy to citation E-4195-130 issued on October 7, 2022 by Consumer Protection & Enforcement Division.	Zhang	N/A
A.22-02-020	Application of Dagobah Systems, Inc., dba Dagobah Communications Systems, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Melvin	Reynolds
A.22-10-005	Application of Digital Future UUC LLC for Registration as an Interexchange Carrier Telephone Corporation Pursuant to the Provisions of Public Utilities Code Section 1013.	Tran	Shiroma
A.22-11-011	Application of Kloud Communications, Inc. for Registration as an Interexchange Carrier Telephone Corporation pursuant to the Provisions of Public Utilities Code Section 1013.	Wilson	Shiroma

Outreach/Training/Other Activities

State National Action Plan (SNAP): On September 21, 2023, the FCC discussed the Alternative Connect America Cost Model (A-CAM) for legacy rate-of-return carriers. This program is meant to stimulate carriers to continue to roll out broadband service at speeds of 100/20 Mbps (if this has not been achieved). The offer includes 33% of the carrier’s current support level for (a) ILEC-only served locations for which a competitor is receiving funding to deploy 100/20 Mbps or faster broadband service, and (b) locations currently served by both the ILEC and a competitor with 100/20 Mbps or faster broadband.