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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to
Update Communications Emergency
Preparedness and Network Resiliency
Program.

Rulemaking 25-07-014

**ADMINISTRATIVE LAW JUDGE'S RULING ORDERING COMMENTS ON
QUESTIONS SPECIFIC TO SCOPED ISSUES**

Parties to Rulemaking 25-07-014 are directed to respond to specific questions related to the issues in the April 1, 2026, Scoping Memo and Ruling (Scoping Ruling).

The Commission launched Rulemaking (R.)25-07-014 on July 24, 2025, to consider modifications to the current network resiliency rules for communications service providers. Commission Decisions (D.)20-07-011 and D.21-02-029 first established resiliency rules for communications service providers, collectively known as the Resiliency Program. The Resiliency Program implements six strategies for wireless and wireline service providers in Tier 2 and Tier 3 High Fire Thread Districts (HFTDs). One of these strategies mandates facilities-based wireline and wireless communications service providers (service providers) to maintain 72-hour backup power for network facilities located in HFTDs. The Resiliency Program also requires service providers maintain a sufficient level of service for their customers to access 9-1-1 and 2-1-1, maintain customer access to communications, ensure their infrastructure can distribute

emergency notifications to customers, and develop comprehensive resiliency strategies.

A prehearing conference (PHC) was held on November 13, 2025, to address the issues of law and fact, determine the need for hearing, set the schedule for resolving the proceeding, address other motions for party status, and other issues as necessary. On April 1, 2026, the Assigned Commissioner issued a Scoping Ruling. The Scoping Ruling identified several issues to be considered in this proceeding.¹ This ruling provides specific questions for each of the issues identified in the Scoping Ruling. Party comments in response to these questions will assist the Commission in developing the record and planning for upcoming workshops.

Questions:

Scoped Issue	Questions
a. Resiliency Data Reporting: What refinements and clarifications should be made to data and reporting requirements for communications service providers to ensure compliance with and improve the effectiveness of the Resiliency Program? How should the Commission improve access to resiliency data for stakeholders and the public to review?	1. How should the Commission ensure that stakeholders, the public, government agencies, and interested parties have access to Resiliency Program data while protecting confidential information? Please provide examples of strategies to improve accessibility balanced against confidentiality, including but not limited to, potential methods for aggregating data, and specify what levels of aggregation are appropriate. 2. What refinements and clarifications should be made to data and reporting requirements for providers to ensure compliance with and

¹ Scoping Ruling at 3.

	improve the effectiveness of the resiliency requirements²? 3. How often should the Commission require service providers to submit notifications of changes to their facilities or sites within Tier 2 and Tier 3 High Fire Districts? This includes the establishment of new sites, the decommissioning of existing sites, and any changes in ownership. Please provide justification for your recommendations. 4. Should providers include shapefiles (Geographic Information System data) of their facilities or sites in their Resiliency Plans? Why or why not? If the reason is associated with costs, provide the estimated incremental costs related to compliance with this requirement.
b. Ensuring Compliance: How should the Commission design and implement a mechanism to ensure compliance with the Resiliency Program's requirements? How should the mechanism be defined and tracked?	5. How should the Commission design and implement a mechanism to ensure compliance with the Resiliency Program's reporting and network resiliency requirements? How should compliance be defined and tracked? Should the Commission establish citations, penalties or fines for noncompliance? 6. Alternatively, should the Commission authorize staff to put forward an enforcement framework that sets forth terms, conditions, and processes for hiring an independent 3rd-party audit of utility practices, and/or a compliance monitor to address Resiliency Plan and compliance reporting deficiencies?

² D.20-07-011 at 109 and D.21-02-029 at 90.

	Should the audit and compliance monitor be hired at the utility's expense? 7. What is the appropriate timeframe for providers to resolve different types of discrepancies or deficiencies in complying with the network resiliency or reporting requirements?
c. Infeasibility Claims: How should the Commission evaluate and verify service provider claims of technical or administrative infeasibility for the Resiliency Program requirements? How should service providers remedy infeasibility over a specified timeframe?	8. How should the Commission evaluate, verify, and address service provider claims of technical or administrative infeasibility of the resiliency requirements? 9. What types of documentation should providers submit to demonstrate infeasibility of resiliency requirements at a particular facility or site? Examples may include independent verification, documentation of rejected permit applications, engineering reports, and other relevant materials.
d. Customer Premise Equipment (CPE) and Collocated Sites: How should the Resiliency Program requirements apply to shared facilities such as collocated sites and facilities with Customer Premises Equipment (CPE)?	10. How should the resiliency requirements apply to shared facilities such as collocated sites and facilities/sites with Customer Premises Equipment (CPE), and how should that differ if the 'customer' is an end-user versus another communications service provider? 11. How should the Commission establish responsibility between service providers for shared site resiliency requirements including service provider roles in overseeing facility/site compliance with the Commission decisions, submitting annual Resiliency Plans and Emergency Operations Plans, and sharing any associated incremental cost for meeting resiliency requirements?

	12. What measures should service providers implement to ensure that customers with Customer Premises Equipment have sufficient backup power to maintain service continuity during power outages?
e. Expansion beyond High Fire Threat Districts (HFTDs): What data is required to determine whether the Resiliency Program should be extended beyond the boundaries of Tier 2 and Tier 3 HFTDs? What criteria should be used to determine how the Resiliency Program should be extended beyond Tier 2 and Tier 3 HFTDs? What are the estimated incremental costs of expanding the Resiliency Program to areas outside of HFTDs that are frequently impacted by disasters, outages, or Public Safety Power Shutoff (PSPS) events?	13. What criteria should be used to determine how the Resiliency Program should be extended beyond Tier 2 and Tier 3 High Fire Threat Districts (HFTDs)? What data would be required in order to determine which facilities beyond Tier 2 and Tier 3 HFTDs should be included in the Resiliency Program? (For HTFD Map, see: CPUC High Fire Threat District (HFTD))³ 14. Should the Commission also use third party risk maps, such as CAL FIRE's Fire Hazard Severity Zones (FHSZ), to determine whether to include facilities that may be outside of the CPUC's Tier 2 and Tier 3 HFTDs in the Resiliency Program? (For FHSZ Map, see: Fire Hazard Severity Zones OSFM)⁴ 15. If the resiliency requirements were expanded beyond Tier 2 and Tier 3 HFTDs, what would be the major cost drivers and estimated incremental cost for compliance? 16. Should the Commission develop a methodology for calculating a Benefit-Cost

³ CPUC High Fire Threat Map available at:

<https://capuc.maps.arcgis.com/apps/mapviewer/index.html?webmap=986b9c5900b1424dac71b2f91b9b7475>.

⁴ Fire Hazard Safety Zones available at: <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones>.

	Ratio (BCR), at the facility/site level, to determine whether to expand the Resiliency Program? If yes, how should benefits and costs be calculated?
f. Mobile Generators: What policies and rules should the Commission consider to ensure the effective deployment of mobile generators for enhancing network resiliency? These policies should include, but are not limited to, the following considerations: the appropriate ratio of mobile generators to facilities served, the maximum allowable distance and travel time from storage locations to the facilities, the necessary interim backup power required to maintain service continuity during travel time, and the potential adaptors or connectors and pooling arrangements to optimize resource utilization.	17. How do communications service providers determine optimal strategies for the prepositioning and prioritization of sites for deployment of mobile backup generation? Should the Commission set requirements to facilitate rapid deployment mobile generators during emergencies, such as the establishment of standard connectors, strategic prepositioning, and guidelines for sharing resources among providers? 18. How should the Commission consider preparedness requirements for a large-scale emergency where there may be more facility sites experiencing outages than there are mobile generators available to deploy? How should the Commission determine acceptable methods of meeting the Resiliency Program's 72-hour backup power requirements including, but not limited to, a required ratio of mobile generators to assigned facilities or sites for supporting essential communications equipment and minimum service levels? 19. Should the Commission determine an appropriate timeframe at which mobile generators should be deployed and operational at each facility or site during a power outage? How should the Commission determine the maximum allowable travel time between the location where a mobile generator is stored and the assigned facility or site that relies on it?

	20. Should the Resiliency Program account for situations where roads are impassable such that transport of mobile generators is infeasible? How much on-site battery backup power is reasonable to ensure connectivity during the interval between when a power outage begins and when a mobile generator is operational at a given facility or site?
g. Wildfire Resilience: How should the Commission expand the Communications Network Resiliency Program to consider additional requirements on facilities-based communications service providers if the local electric utility is undergrounding its infrastructure while rebuilding an area damaged by wildfire or other disaster? Should the Commission consider an undergrounding requirement for facilities-based communications service providers to concurrently underground affected network facilities, or in the alternative, require facilities-based communications service providers to install steel poles to replace wood poles where the electric utility has opted to underground?	21. How should the Commission expand the Resiliency Program to expedite coordinated undergrounding with electric utilities during restoration of an area where infrastructure has been damaged by wildfire or other disaster? 22. What are the barriers and challenges to communicating with electric or other utilities to ensure a coordinated effort to rebuild facilities after a wildfire or other disaster? What rules or requirements should the Commission consider to improve this coordination? 23. Should the Commission consider an undergrounding requirement for providers to concurrently underground affected network facilities, or in the alternative, require providers to install steel poles to replace wood poles where the electric utility has opted to underground? Why or why not?
h. Wildfire Mitigation Reporting: How should the Commission require wireline and wireless facilities-based communications service providers to include wildfire	24. How should the Commission require wireline and wireless facilities-based communications service providers to include wildfire preparedness and mitigation plans in their annual Communications Resiliency Plan and/or new wildfire mitigation filings?

preparedness and mitigation plans in their annual Communications Resiliency Plan, and/or new wildfire mitigation filings? Such wildfire preparedness and mitigation plans should include, but are not limited to, underground facilities and/ or poles information, protocols for coordinating with other utilities (including electric utilities), local officials, and entities involved in restoration and rebuilding, with a focus on continuity of service, defensible fire breaks, and emergency response during disasters, including fires with downed poles.	25. Should providers incorporate wildfire preparedness and mitigation plans into their annual Resiliency Plans, or would it be more appropriate for them to submit new and separate wildfire mitigation filings through the Tier 2 Advice Letter process? 26. In addition to the elements outlined in item h of the scoping memo, are there any further considerations or information that should be incorporated into the annual wildfire preparedness and mitigation plans? If so, please provide a list of these items.
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Parties are requested to file Opening and Reply comments in response to the above questions. Opening Comments shall be due within 30 days of the date of issuance of the instant ruling and Reply Comments shall be due 10 days after the last day for opening comments. To ensure comments are focused, Opening Comments are limited to 30 pages, and Reply comments are limited to 15 pages.

IT IS RULED that:

1. Opening Comments in response to the questions in this ruling shall be due within 30 days of the date of issuance of the instant ruling.
2. Reply Comments shall be due 10 days after the last day for opening comments.

3. Opening Comments shall be limited to 30 pages and Reply Comments shall be limited to 15 pages.

Dated May 29, 2026, at San Francisco, California.

/s/ SASHA GOLDBERG

Sasha Goldberg
Administrative Law Judge