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## Fwd: Consent Agenda Item AB 2395

1 message

The BOSTHREE <bostthree@edcgov.us>

Mon, May 2, 2016 at 1:26 PM

To: EDC COB <edc.cob@edcgov.us>

### Kathy Witherow

Assistant to Supervisor Brian K. Veerkamp  
District Three - El Dorado County  
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**LATE DISTRIBUTION**

DATE 5/2/16

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From: PEREZ, ALICE <ap826x@att.com>

Date: Mon, May 2, 2016 at 12:54 PM

Subject: Consent Agenda Item AB 2395

To: "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bostthree@edcgov.us" <bostthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>

Good afternoon Supervisors;

I understand that AB 2395 is on tomorrows consent agenda for the El Dorado County Supervisors to write a letter opposing this bill at the request of RCRC. I respectfully ask you to remove this from the consent agenda and add to the regular agenda for discussion.

AT&T met with Paul Smith from RCRC and addressed all of his concerns and have made several amendments to the bill as a result of concerns he and others have brought to our attention.

There has been an 85 percent decline in traditional landlines in California as consumers continue to migrate to wireless and IP. We believe we need to help all consumers make the shift from outdated traditional landlines to advanced technology that will allow them to exchange videos, messages and data with first responders. Otherwise, those few consumers left on yesterday's technology will be increasingly disconnected.

The public safety community is transitioning away from traditional landline technologies to Internet-enabled mobile devices and VoIP, because advanced networks can further support a wider variety of modern emergency services and disaster notifications. Next-Gen 911, for example, will improve responsiveness and reliability for public safety officials during emergencies.

AT&T supports AB 2395 authored by Assemblymember Evan Low because, in our experience, planned consumer technology transitions are far preferable to those that are unplanned or ad hoc. The legislation ensures that no consumer will be left without service and that all consumers will maintain access to 911 and emergency calling. It establishes a consumer education process and complements the federal IP transition process, which is addressing reliability, service quality, 911, location accuracy and access for people with disabilities.

Under AB 2395, no IP transition will occur before 2020 and a recent amendment confirms that all consumers will keep their existing "Plain Old Telephone Service" until they are offered an alternative that meets state and federal standards. The legislation can also serve as an impetus to encourage public sector efforts to implement Next-Gen 911 and other enhanced emergency services.

I have attached several documents to help educate you on the bill:

AB2395 Amended Bill Explanation

Letter of Support from El Dorado Hills Fire Department

Reliability and Benefits of 21<sup>st</sup> Century Communications

POTS vs. VoIP

Rural Communities Transition

AB2395 Flow Chart

I would be happy to answer any questions you might have and hope you will consider taking a position in support or of neutrality of AB 2395.

Please send confirmation that this will be removed from the consent agenda so I can attend the meeting to address any questions you may have regarding the bill.

Best regards;

**Alice Perez**

**AT&T External Affairs**

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O 916.341.3458 |Alice.Perez@att.com

**Keep your eyes on the road, not on your phone.**

**Take the pledge...It Can Wait.**

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#### 6 attachments



**AB 2395 Bill Explanations - Amended 4-20-16.pdf**  
1445K



**Reliability and Benefits.pdf**  
461K



**POTS vs. VoIP.pdf**  
63K

 **Rural Communities.pdf**  
298K

 **Letter of Support - El Dorado Hills Fire Department.pdf**  
90K

 **AB 2395 Flowchart v15.pdf**  
878K



AMENDED IN ASSEMBLY APRIL 20, 2016  
AMENDED IN ASSEMBLY MARCH 17, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

EXPLANATION OF PROVISIONS  
PROVIDED IN RED.

**ASSEMBLY BILL**

**No. 2395**

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**Introduced by Assembly Member Low**

February 18, 2016

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An act to add Section 711 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 2395, as amended, Low. Telecommunications: replacement of public switched telephone network.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law, until January 1, 2020, prohibits the commission from regulating Voice over Internet Protocol and Internet Protocol enabled service (IP enabled service), as defined, except as required or delegated by federal law or expressly provided otherwise in statute.

This bill would require a telephone corporation that is transitioning to IP enabled services and networks to complete a customer education and outreach program ~~explaining~~ *before seeking to withdraw traditional circuit-switched and other legacy telephone services. The education and outreach program would be required to explain* the transition from legacy public switched telephone network services regulated by the commission to IP enabled services, the benefits and advantages of IP enabled services, a description of the advanced services available to consumers, and information regarding the projected timeframes for the transition, including that withdrawal of any voice grade single-line

telephone service will not take place prior to January 1, 2020. The bill would prohibit a telephone corporation from withdrawing any voice grade single-line *circuit-switched legacy* telephone services without first giving prior notice to the commission certifying (1) that the telephone corporation has completed the education and outreach program, and (2) that an alternative voice service is available for the affected customers in the affected area. The bill would require the commission ~~to conduct a technical review~~ to confirm that the replacement service has specified elements. Upon completion of these steps, but no sooner than January 1, 2020, the bill would authorize a telephone corporation to elect to discontinue legacy telephone service upon providing not less than 90-days' notice to the affected customers and to the commission, as specified. The bill would authorize a customer of the telephone corporation, within 30 days after receipt of the notice of withdrawal of legacy voice service ~~to petition the commission to request in writing that the commission~~ review the availability of the alternative service at the customer's location. The bill would require the commission ~~to issue an order disposing of the petition not later than 60 days after its filing. review and resolve the customer's request within 60 days of receipt of the request.~~ The bill would authorize the commission, if it determines after investigation that no alternative service is available to that customer at the customer's location, ~~to attempt to identify a willing provider of voice service to serve the customer, and if no willing provider is identified, to order the withdrawing telephone corporation to provide voice service to the customer for a period no longer than 12 months after withdrawal. The bill would require the commission to establish a universal connectivity program by September 1, 2019, to ensure that those customers for whom the commission has ordered the withdrawing telephone corporation to provide voice services for the 12-month period will continue to have voice service available after that period. If an order to continue to provide voice service to a customer is issued, the bill would require the commission to evaluate whether an alternative service has become available for the customer during the period the order is in effect and if an alternative service meeting specified requirements does not become available, would authorize the commission to order the withdrawing telephone corporation to continue to provide voice service to the affected customer until an alternative service is available at the customer's location.~~



Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because the provisions of this bill are within the act and require action by the commission to implement its requirements, a violation of these provisions would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

*The people of the State of California do enact as follows:*

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

3 (a) California continues to be the world’s advanced technology  
4 leader, the center of the innovation economy, and a pioneer in  
5 clean and sustainable technology. The state must adopt a strategy  
6 to build our digital infrastructure while retiring outdated  
7 technology. The transition from 20th century traditional  
8 circuit-switched and other legacy telephone services to 21st century  
9 next-generation Internet Protocol (IP) networks and services is  
10 taking place at an extraordinary pace. A significant majority of  
11 Californians have already transitioned to upgraded communications  
12 services such as high-speed Internet, Voice over Internet Protocol  
13 (VoIP), and mobile telephony services.

14 (b) Between 1999 and 2015, California witnessed an estimated  
15 85 percent decline in landlines providing legacy telephone services  
16 and relying on dated technology. At the same time, consumer  
17 adoption of advanced services over IP-based networks has  
18 continued to grow. Californians have quickly adopted new  
19 technologies to communicate. More than 9 out of 10 Californians  
20 use a smartphone or other mobile devices, 86 percent use the  
21 Internet, and there are over 5.7 million VoIP subscriptions. As of  
22 2014, approximately 6 percent of Californians resided in  
23 households with only a landline, a 44 percent decline from 2010.

← Legislative findings and declarations establishing the importance of transitioning from outdated legacy telephone services to next generation advanced technologies and services. The intent language describes the rapid pace by which Californians have already adopted the new technology and the advantages it brings for full participation in 21<sup>st</sup> Century modern life.

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

9 ~~(d) The legacy telephone network is outdated, underutilized,  
10 and carbon-unfriendly when compared to the IP network. Vital  
11 economic, educational, health, and civic opportunities, including  
12 online learning, telemedicine, remote working, e-government  
13 services, and public safety, are not optimized on the outdated  
14 network. The transition from older, dated technologies to newer,  
15 more advanced technologies is nearly complete, and at some point  
16 in the not-too-distant future it will no longer be economically viable  
17 or environmentally sound to maintain legacy networks and services.  
18 The consumer demand will not be there, the economies will not  
19 support it, and the associated environmental burden will be  
20 disproportionate to its long past benefits. *underutilized.*~~

21 ~~(e) Recent studies show that transitioning from a legacy switched  
22 network to an all IP network can reduce energy costs by as much as  
23 as 70 percent, reduce water use for cooling by as much as 70  
24 percent, and reduce emissions of greenhouse gases by as much as  
25 40 percent. IP services themselves provide even further benefits,  
26 including reduced fuel and electricity use through smart logistics  
27 and telematics for efficient traffic and route management, and  
28 automated monitoring of energy use related to lighting and climate  
29 control. IP-based technologies, including remote water leakage  
30 detection and control and smart irrigation solutions for agriculture,  
31 may also serve to enable efficient use of water by consumers.~~

32 ~~(f) (1) This act will provide a path for the telecommunications  
33 industry to make significant contributions toward the state's goals  
34 for energy use and emissions of greenhouse gases, as set forth in  
35 the California Global Warming Solutions Act of 2006 (Division  
36 25.5 (commencing with Section 38500) of the Health and Safety  
37 Code) and the Clean Energy and Pollution Reduction Act of 2015  
38 (Chapter 547 of the Statutes of 2015).~~

39 ~~(2)~~



1 (e) (1) This act will establish state policy for a clearly  
2 communicated, planned, and orderly transition ~~from outdated~~  
3 ~~technology to cleaner~~ to advanced technologies, so that continuity  
4 of service for consumers and businesses is ensured, while  
5 maintaining safeguards to preserve universal connectivity.

Establishes state policy for a clearly communicated and orderly transition.

6 (3)  
7 (2) This act will ensure that the ~~advanced~~ *alternative* services  
8 replacing legacy services provide quality voice service and access  
9 to emergency communications as part of a 21st century policy  
10 framework.

Establishes a process to ensure that advanced services are available to affected customers before allowing the transition.

11 (4)  
12 (3) This act will ensure that ~~advanced~~ *alternative* services are  
13 available to replace legacy services before the transition, so that  
14 all Californians are able to benefit from the opportunities presented  
15 by advanced technologies and services.

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

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

Before withdrawing legacy voice services, a telephone company must first certify to the CPUC that the customer education program has been completed and alternative services are available for affected customers.

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

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

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

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

Requires the CPUC to confirm that the alternative voice service provides certain elements established by the FCC, including access to 911, and battery back-up capability if applicable.



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

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

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

9 (4) Alternative services ~~that require~~ *requiring* a residential power  
10 supply to operate ~~shall also provide backup-battery capability~~  
11 ~~consistent with the standard~~ *are in compliance with the*  
12 ~~backup-battery capability standards~~ established by the Federal  
13 Communications Commission.

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

23 (e) Upon completion of the requirements of subdivisions (b),  
24 (c), and (d) for voice grade single-line *circuit-switched legacy*  
25 *telephone* services, but no sooner than January 1, 2020, a telephone  
26 corporation may elect to discontinue any legacy telephone service,  
27 upon giving no less than 90-days' prior notice to the affected  
28 customers and to the commission. If the discontinuance of legacy  
29 telephone service includes voice grade single-line services, the  
30 notice shall include information regarding the availability of an  
31 alternative service ~~as verified~~ *confirmed* by the commission ~~in the~~  
32 ~~technical review, how to petition the commission for review of~~  
33 ~~the availability of the alternative service at the customer's location,~~  
34 ~~and any environmental benefit that will come with the~~  
35 ~~discontinuance of legacy services and the migration to alternative~~  
36 ~~services. and how to seek commission review if the customer~~  
37 ~~believes the alternative service is not available at the customer's~~  
38 *location*. During the notice period, the telephone corporation shall  
39 continue to provide the legacy telephone service to the affected  
40 customers, except a customer that disconnects or changes the

← The CPUC's confirmation process must be completed within 120 days.

← Allows a telephone company to withdraw any legacy telephone service upon 90 days prior notice to the affected customers and to the CPUC. Requires the telephone company to provide information regarding the alternative services that will be available to the affected customers.

← The withdrawing telephone company will continue to provide the legacy telephone services to its existing customers during the notice period but not to any new customers.



1 features of the service, but shall have no obligation to provide the  
2 legacy telephone service to any new customers in the affected area.

3 (f) ~~Notwithstanding Section 710, within~~ *Within* 30 days after  
4 receipt of a telephone corporation's notice of withdrawal of legacy  
5 voice service, a customer may ~~petition~~ *request in writing that* the  
6 commission ~~to review the availability of the alternative service at~~  
7 ~~the customer's location. The commission shall issue an order~~  
8 ~~disposing of the petition not later than 60 days after the filing of~~  
9 ~~the petition.~~ *review and resolve the customer's request within 60*  
10 *days of receipt of the request. The commission's review shall be*  
11 *limited to determining whether an alternative service that has the*  
12 *elements set forth in subdivision (c) is available to the customer*  
13 *at that customer's location. If the commission determines after an*  
14 ~~investigation that no~~ *that an alternative service is not available to*  
15 *the customer at the customer's location, the commission shall*  
16 ~~attempt to identify a willing provider of voice service to serve the~~  
17 ~~customer. If no willing provider is identified, the commission may~~  
18 ~~order the withdrawing telephone corporation to provide voice~~  
19 ~~service to the customer at the customer's location for a period no~~  
20 ~~longer than 12 months after withdrawal. The willing provider or~~  
21 ~~the withdrawing telephone corporation may utilize any technology~~  
22 ~~or service arrangement to provide the voice services as long as it~~  
23 ~~meets the requirements of subdivision (c).~~

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

29 (g) *If an order to continue to provide voice service to a customer*  
30 *is issued pursuant to subdivision (f), during the period in which*  
31 *the withdrawing telephone corporation is required to provide voice*  
32 *service, the commission shall evaluate whether an alternative*  
33 *service has become available for the customer that is the subject*  
34 *of the order. If an alternative service meeting the elements of*  
35 *subdivision (c) does not become available during the period of the*  
36 *order, the commission may order the withdrawing telephone*  
37 *corporation to continue to provide voice service to the affected*  
38 *customer until an alternative service is available at the customer's*  
39 *location. The withdrawing telephone corporation may utilize any*

← A customer may ask the CPUC to review the availability of the alternative service at his/her location within 30 days of receipt of the notice of withdrawal, and the CPUC must complete its investigation of the customer's petition within 60 days.

← If the CPUC determines that an alternative service is not available for that customer, it may order the withdrawing telephone company to provide the alternative service for 12 months after withdrawal of the legacy service.

← If an alternative service does not become available during the 12 month period, the CPUC may require the provider to provide voice service until an alternative service is available.



1 *technology or service arrangement to provide the voice service as*  
2 *long as it meets the requirements of subdivision (c).*

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

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

8 (j) *Nothing in this section affects or changes the commission’s*  
9 *authority to implement and enforce Sections 251 and 252 of the*  
10 *federal Communications Act of 1934, as amended (47 U.S.C. Secs.*  
11 *251 and 252), including, but not limited to, the authority to*  
12 *arbitrate and enforce interconnection agreements pursuant to*  
13 *Section 252(b).*

14 (k) *Nothing in this section affects or changes the obligations of*  
15 *an incumbent local exchange carrier pursuant to Sections 251 and*  
16 *252 of the federal Communications Act of 1934, as amended (47*  
17 *U.S.C. Secs. 251 and 252). For these purposes, “incumbent local*  
18 *exchange carrier” is defined as in subsection (h) of Section 251*  
19 *of Title 47 of the United States Code.*

20 SEC. 3. No reimbursement is required by this act pursuant to  
21 Section 6 of Article XIII B of the California Constitution because  
22 the only costs that may be incurred by a local agency or school  
23 district will be incurred because this act creates a new crime or  
24 infraction, eliminates a crime or infraction, or changes the penalty  
25 for a crime or infraction, within the meaning of Section 17556 of  
26 the Government Code, or changes the definition of a crime within  
27 the meaning of Section 6 of Article XIII B of the California  
28 Constitution.

← The bill does not grant the CPUC any authority over the alternative services provided under this bill.

← A telephone company may still withdraw services under existing rules. This bill doesn't change that.

← Clarifies that the bill does not affect the CPUC's jurisdiction or the withdrawing telephone company's obligations with respect to wholesale issues.

# Reliability and Benefits of 21<sup>st</sup> Century Communications

## IP Transition - Quality and Reliability

- In the context of the IP Transition, the FCC has proceedings in place to ensure that any replacement product for Plain Old Telephone Service (POTS) will meet high standards for quality and reliability.<sup>1</sup>

## Wireless and VoIP Demand, Reliability, and Quality

- Plain Old Telephone Service (POTS) traffic amounts to less than **1 percent of IP traffic** today,<sup>2</sup> and in California's voice market, nearly **80% of connections** are either VoIP or wireless.<sup>3</sup>
- **AT&T reports a 100,000% increase** in nationwide mobile data traffic between 2007 and 2014.<sup>4</sup>
- In 2015, across all major wireless carriers, **dropped call rates were below 2 percent in nearly all 125 markets surveyed.**<sup>5</sup>
- Once deployed, 5G speeds are expected to be between 10 Gigabytes per second (Gbps) and 20 Gbps.<sup>6</sup>

## HD Voice and Aiding the Hearing Impaired

- **Two-thirds** of the frequencies in which the human ear is most sensitive, and **80% of the frequencies** in which speech occurs, are beyond the capabilities of the POTS network.<sup>7</sup>
- HD voice employs wide-band audio technology and noise cancellation, supported by both IP-based and mobile phones, that allows users to hear a wider range of frequencies that are not possible with POTS. This helps improve speech understanding, which is especially beneficial for individuals with hearing loss.<sup>8</sup>
- Improved video services can help those whose primary mode of communication is sign language.

## Increased Public Safety and Security

- Over **75% of 911 calls** are made from wireless phones,<sup>9</sup> and IP-based networks will enable 911 call centers to receive a greater range of information, such as text and video.
- The FCC requires 8 hour battery back-up at consumer option and cost – **24 hour option** in 3 years,<sup>10</sup> Consumers can easily buy reliable external backup power systems online, at local electronics stores or directly from the VoIP phone provider.<sup>11</sup>
- VoIP calls can be encrypted to enhance security, and are used by the Department of Defense and other military organizations to provide reliable, secure communication.<sup>12</sup>
- IP networks enable VoIP providers to offer such features as mobile apps that allow for remote activation of call forwarding from a home phone to another number when traveling or during emergencies.<sup>13</sup>

<sup>1</sup> FCC IP Transition Order and Technology Transitions Order, [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-14-5A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-5A1.pdf) and [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-15-97A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-15-97A1.pdf)

<sup>2</sup> Anna-Maria Kovacs, "Telecommunications competition: the infrastructure-investment race" [http://internetinnovation.org/images/misc\\_content/study-telecommunications-competition-09072013.pdf](http://internetinnovation.org/images/misc_content/study-telecommunications-competition-09072013.pdf)

<sup>3</sup> FCC Local Competition Report (October 2014) [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-329975A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-329975A1.pdf). Residential POTS number is ILEC-only

<sup>4</sup> <http://about.att.com/apps/csr/services/IssueBriefBuilder.pdf?download=technology/network-reliability>

<sup>5</sup> RootMetrics, "Mobile Network Performance in the US: Second Half of 2015," <http://www.rootmetrics.com/us/blog/special-reports/2015-2h-national-us>

<sup>6</sup> Network World/ITU, <http://www.networkworld.com/article/2941362/wireless/next-generation-5g-speeds-will-be-10-to-20-gbps.html>

<sup>7</sup> Voice On the Net Coalition, [http://www.von.org/secprgs/02\\_benefits/benefits\\_06\\_disabilities.html](http://www.von.org/secprgs/02_benefits/benefits_06_disabilities.html)

<sup>8</sup> [http://www.about.att.com/content/csr/home/blog/2016/04/improving\\_communicat.html#sthash.qEMw5mVH.dpuf](http://www.about.att.com/content/csr/home/blog/2016/04/improving_communicat.html#sthash.qEMw5mVH.dpuf)

<sup>9</sup> National 911 Progress Report (2015) <http://www.wirelessweek.com/news/2016/03/report-more-75-percent-911-calls-now-come-cell-phones>

<sup>10</sup> FCC Ensuring Continuity of 911 Communications Report and Order PS Docket NO 14-174

<sup>11</sup> Such as Amazon and Best Buy.

<sup>12</sup> VON Coalition - [http://www.von.org/secprgs/02\\_benefits/benefits\\_011\\_security.html](http://www.von.org/secprgs/02_benefits/benefits_011_security.html)

<sup>13</sup> <https://www.att.com/esupport/article.html#!u-verse-voice/KM1001065>



# COUNTY OF EL DORADO

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**JAMES S. MITRISIN**  
Clerk of the Board



# BOARD OF SUPERVISORS

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May 3, 2016

Ms. Jeanine Townsend  
Clerk of the Board  
State Water Quality Control Board  
P.O. Box 100  
Sacramento, CA 95812

Email: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) subject line: "Comments to A-2239(a)-(c)"

Re: Opposition to proposed Order for E. San Joaquin and all other water quality coalitions in CA

The California State Water Board issued a proposed order (SWRCB/OCC Files A-2239(a)-(c)), better known as the "Eastern San Joaquin River Watershed Agricultural Order" (Order) on February 8, 2016. The Order would generally require irrigated agricultural operations to meet waste discharge requirements. These requirements include additional reporting, a Nitrogen Management Plan, on-site monitoring of drinking water wells, sustained outreach plans, and annually updated farm evaluations.

El Dorado County opposes the requirements included in this Order as they would put undue financial and resource intensive burdens on our local agriculture operations. Current estimates for implementing the Order ranges from \$5,000-10,000 per farm. The additional costs include certifying nitrogen plans, reporting, testing private wells, paying for additional surface water monitoring sites, analysis and reporting. El Dorado County has a significant agricultural based presence, especially smaller "family" farming, and implementation of such requirements included in the Order could greatly harm the local economy and availability of locally grown crop goods.

Farming in El Dorado County is generally small acreage (less than 5 acres), low intensity, cover crops on slopes year round, minimal to no pesticide use, at least two management practices implemented by each grower, and for over a decade have had excellent water quality results. Irrigation practices use small quantities of water and typically via drip or micro-jet irrigation resulting in no run-off.

This proposed Order should not apply to our foothill farming community and small acreage farms. The State Water Board's Fact Sheet says, "We find that the additional costs and burden associated with these revisions are not substantial". This statement disregards the costs and financial burden placed on growers especially those with small acreage and/ or in economically disadvantaged communities which are already burdened with low income challenges.



# VoIP is Much More than Just Voice

Newer technologies are changing the way we connect to our world. From city streets to rural America, emerging technologies—like Voice over Internet Protocol (VoIP)—are changing the way we communicate and connect with the world around us. VoIP is an IP application that allows you to make voice calls using a broadband Internet connection instead of a regular phone line and offers many advantages over the legacy plain old telephone service (POTS).

Plain Old Telephone Service (POTS)	Voice Over Internet Protocol (VoIP)
Operates on POTS over a circuit-switched network	Operates on an IP network (over your internet connection) using diverse routing
Separate local and long distance plans	No distinction between local or long distance calling.
Single location	Nomadic and non-nomadic service available. Both need access to a broadband Internet connection.
Only a California phone number can be associated with a location in California.	Customers may be able to pick what area code they want to have for a phone number, so a customer in California could choose to have a Florida number, a Texas number, or a California number – or they could have all three numbers terminate to their California location.
Features have to be managed by service personnel.	Features can be managed using a secure online portal.
Voice only service – other limited basic features available	VoIP combines voice with an abundance of enhanced and useful features: In addition to the traditional limited basic features, VoIP customers can integrate or collaborate with other applications such as email, web browsers, instant messenger, social-networking apps, and much more. Some examples of this seamless collaboration include: <ul style="list-style-type: none"> <li>• Voicemail delivery via email in either audio or text</li> <li>• Incoming calls ring multiple phone numbers at the same time</li> <li>• Multiple phone numbers can ring in a specified sequence</li> <li>• Transfer calls you have already answered to another phone</li> <li>• Personalize Caller ID displays by assigning a name with a number</li> <li>• Click-to-call service on a website</li> <li>• Voice call button embedded in an email</li> <li>• Displaying presence information on a contact list</li> </ul>
Voice-grade service, with narrow-band audio quality.	Wide-band audio technology allows users to hear a wider range of frequencies that are not possible with POTS. This is especially beneficial for individuals with hearing loss. <sup>1</sup>
Requires calls to be answered by a person or answering machine	VoIP allows for call routing to another phone, such as a cell phone, enhanced voicemail, message transcription, among other features.

## Although both provide voice service, VoIP allows consumers to connect in ways that POTS does not.

- Consumers across America are increasingly choosing newer technologies—like VoIP—to connect and communicate, and are moving away from older ones, especially POTS.

### By the end of 2013:

- 50.1 percent of **residential wireline phone connections** in the U.S. were VoIP-based.<sup>2</sup>
- Traditional POTS voice lines had declined by approximately 7 million from 2012 to 2013. Over the last five years, the number of POTS voice lines has declined by an average of nearly 14 percent per year.<sup>3</sup>

### In the first half of 2015:

- Nearly half (47.4%) of American homes no longer used a wired connection and had instead chosen to communicate with only wireless technologies.<sup>4</sup>

1. [http://www.about.att.com/content/csr/home/blog/2016/04/improving\\_communicat.html#sthash.qEMw5mVH.dpuf](http://www.about.att.com/content/csr/home/blog/2016/04/improving_communicat.html#sthash.qEMw5mVH.dpuf)

2. FCC Local Competition Report, October 2014. Status as of December 31, 2013. [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-329975A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-329975A1.pdf), accessed January 8, 2016

3. Ibid

4. CDC. Wireless Substitution Early Release of Estimates From the National Health Interview Survey, January-June 2015. <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201512.pdf>, accessed January 8, 2016



# AB 2395 (LOW)

## Rural Communities: Transitioning to Next Generation Communications Technologies

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### Rural communities are embracing IP-enabled networks and services

- 85% of rural Americans own a mobile phone.<sup>1</sup>
- Like urban Americans, 97% have access to high-speed internet.<sup>2</sup>
- Enhanced IP-based services can be especially beneficial in rural areas, but these services require access to advanced networks that support not just voice, but data as well.

### Rural consumers benefit from access to 21<sup>st</sup> century communications

- **Good for business:** Access to IP-based networks ensure that rural communities remain competitive and attractive to new economic investment.
- **Good for health:** Telehealth improves access to healthcare for rural and remote residents through services such as online doctor visits, mail order pharmacies, and increased online collaboration between providers<sup>3</sup>.
  - According to the 2014 American Academy of Family Physicians Telehealth Survey, a majority of family physician respondents said they believe telehealth improves access to patients, improves the continuity of care and reduces travel time for patients.<sup>4</sup>
- **Good for agriculture:** The “internet of things” has vastly expanded the tools available to help farmers and growers improve their operations. Moisture probes that use GPS and sync with smartphones can help farmers reduce water usage in real time<sup>5</sup>, and small farms can use Geographic Information Systems (GIS) to more accurately harvest and save on spoilage.
- **Good for consumers:** eCommerce provides consumers with increased access to products and services offered by rural and remotely located businesses. And rural communities with access to high-speed internet experience greater employment and population growth.<sup>6</sup>

### Modernizing communications networks in California, AB 2395 will accelerate the adoption of IP enabled services throughout rural communities.

- AB 2395 creates a much needed path for all Californians to access modern communications networks in California. This path for an orderly transition will guide and accelerate the adoption of IP-enabled services in rural communities, and also ensure that no community or individual will be left behind.

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<sup>1</sup> <http://www.pewresearch.org/fact-tank/2013/06/06/cell-phone-ownership-hits-91-of-adults/>.

<sup>2</sup> <http://www.pewresearch.org/fact-tank/2013/08/21/3-of-americans-use-dial-up-at-home/>

<sup>3</sup> <http://www.americantelemed.org/about-telemedicine/what-is-telemedicine#.VsZe7fkrLDc>.

<sup>4</sup> Robert Graham Center for Policy Studies in Family Medicine and Primary Care, "Family Physicians and Telehealth Final Project Report," 30 October 2015.

<sup>5</sup> Fresno State University (2016). <http://www.californiawater.org/californiawater/wae16-use-of-a-cloud-based-data-management-utility-with-a-portable-soil-moisture-probe/>

<sup>6</sup> <http://www.cura.umn.edu/sites/cura.advantagelabs.com/files/publications/CAP-188.pdf>.



# EL DORADO HILLS FIRE DEPARTMENT

*"Serving the Communities of El Dorado Hills, Rescue and Latrobe"*

April 5, 2016

The Honorable Mike Gatto  
Chair, California Assembly Utilities and Commerce Committee  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249

Dear Assemblymember Gatto,

The El Dorado Hills Fire Department supports AB 2395.

In 1963, the El Dorado Hills Fire Department was established to serve the community of El Dorado Hills under the direction of the County Water District Board. At its inception, the District included approximately 10,500 acres with about ninety homes, one school, one market, and one fire station. Today, the district encompasses approximately 30,000 acres with 13,215 homes and an estimated population of 39,645.

Our mission is simple: We exist to serve and protect the Community through emergency management. This simple but very important mission provides the foundation for our daily responsibilities, providing 24/7 rapid response to all types of emergency and non-emergency calls for service.

**We believe that it is vital for fire departments to move to Next-Gen 911 Public Safety Communications in order to save lives.**

In California, man-made or natural disasters can happen anywhere at any time. From pandemics, fires, earthquakes and floods, first responders will greatly benefit from real time information including streaming video from a smart phone or tablet. These new technologies will provide first responders with the information they need to provide the most efficient response times and save lives.

Enhanced emergency communications depend upon an Internet protocol (IP)-based network. Moving toward IP-based networks also allows for interagency communication that currently does not exist. In the event of a major catastrophe or even terrorist attack, it is vital for public safety agencies to be able to communicate with each other.

We support the passage of AB 2395 because it encourages the deployment of these IP-based networks. It is critical that fire departments have this access so to save more lives, prevent costly damage to property and keep our communities safe. We ask for your support of AB 2395.

Sincerely,

cc: The Honorable Evan Low, Assistant Majority Whip



# AB 2395: IP Transition Process

