

GAVIN NEWSOM
GOVERNOR



NANCY WARD
DIRECTOR

September 9, 2025

VIA E-MAIL & U.S. MAIL:

TD._Pal@cpuc.ca.gov
Communications Division – Advice Letter Coordinator
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Re: Protest re: NGA 911, LLC's (NGA) Advice Letter No. 20 (AL-20)
Date Filed with CPUC: August 20, 2025
NGA's CPUC Utility No.: U-7347-C

Dear California Public Utilities Commission,

I. INTRODUCTION.

The California Governor's Office of Emergency Services' (Cal OES) files this protest in response to the advice letter submitted by NGA 911, LLC (NGA) on September 20, 2025 ("AL-20"). Cal OES requests that CPUC reject AL-20 in its entirety.

In accord with General Order 96-B, section 3.11, this protest contains the grounds for the protest, supporting factual information, legal argument, the contact information of the protestant, and a statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division.

Pursuant to General Order 96-B, section 7.4.2, this protest is made on the following grounds: 1) The utility did not properly serve or give notice of the advice letter; 2) The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies; 3) The analysis, calculations, or data in the



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advice letter contain material errors or omissions; 4) The relief requested in the advice letter is inappropriate for the advice letter process; and 5) The relief requested in the advice letter is unreasonable.

At its core, NGA appears to take issue with Cal OES' contemplated policy decisions that may adversely impact NGA's financial interests. In doing so, the company asks CPUC to disregard the Legislature's decision to assign Cal OES responsibility for overseeing 911 services, mischaracterizes the parties' prior communications, and asks for inappropriate relief. For all these reasons, AL-20 should be rejected.

II. THE RELIEF REQUESTED IN THE ADVICE LETTER WOULD VIOLATE STATUTE OR IS NOT AUTHORIZED BY STATUTE OR COMMISSION ORDER ON WHICH THE UTILITY RELIES.

AL-20 fails to identify the statute or Commission Order that allows CPUC to consider this advice letter. Rather, AL-20 appears to ask the CPUC to violate Government Code section 53100 et seq. and intervene in Cal OES' policy decisions concerning public safety.

AL-20 spends pages arguing that Cal OES future plans to administer 9-1-1 network services should be reconsidered. In fact, the true intent of AL-20 appears to be that NGA hopes CPUC will intervene in some matter to prevent Cal OES from shifting from a regional model to a statewide model for NG 911 services, based on Cal OES' determination that the latter model better serves the public interest. Such a request essentially asks CPUC to take a position that runs counter to the Warren 9-1-1 Act which vests Cal OES with the authority to implement Next Generation 9-1-1 (NG911) systems throughout California. (Gov. Code, § 53100 et seq.)

The Warren 9-1-1 Act includes Government Code section 53121, subdivision (a), which states: "The Office of Emergency Services shall develop a plan and timeline of target dates for the testing, implementation, and operation of a Next Generation 911 emergency communication system, including text to 911 service, throughout California." Because AL-20 requests CPUC to interfere with Cal OES' policy

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decisions about how to route NG911 services, it runs afoul of Government Code section 53121.

AL-20 also runs afoul of the purpose of the Warren 9-1-1 Act, as well as the public interest. That Act notes that emergency services are “a matter of public safety and critical to the public peace, health, and safety of the state.” (Gov. Code, § 53100.5(a).) It also states that “[t]he establishment of a uniform, statewide policy regarding a public agency’s ability to receive and process emergency calls is a matter of statewide concern and an interest to all inhabitants and citizens of this state.” (Gov. Code, § 53100.5(c).) NGA plainly overreaches by asking CPUC to substitute its judgment for that of the agency charged by the Legislature with determining the most effective model for 911 services—Cal OES—and prevent Cal OES from pivoting to a statewide model for NG 911 services.

Additionally, AL-20 appears to request that NGA be allowed to unilaterally determine when to decommission NG911 circuits. AL-20 cites the general definition of “withdrawal of service,” which describes when a carrier intends to stop offering services, but then immediately claims that it is “being directed” to take steps that will alter the terms of its NG911 tariff, in way that results in a withdrawal of NG911 service ...” (AL-20, p. 5), although no such directive from Cal OES is recounted. Ultimately, it is AL-20 itself that states on its summary form that the effective date of its request to commence “Involuntary Service Discontinuance for NG911 Service” is on “September 20, 2025.” (AL-20, summary form.) The customer notice, Attachment I, also contains overly broad and vague language essentially giving NGA the authority to discontinue all NG911 services within 30 days. However, a Uniform Regulatory Framework (URF) carrier may not cancel 911 service by the advice letter process. (General Order 96-B, Industry Rule 5.) Because AL-20 is an improper vehicle to allow NGA unilateral authority to discontinue 911 services, it should be rejected with prejudice.

**III. THE ANALYSIS, CALCULATIONS, OR DATA IN THE ADVICE LETTER
CONTAIN MATERIAL ERRORS OR OMISSIONS.**

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There are numerous statements in AL-20 which are inaccurate or misleading. Notably, none of the attachments support AL-20's many assertions about the impact of decommissioning one redundant circuit. Rather, AL-20 is a freeform narrative argument that does not provide any data to support its factual contentions. In response, Cal OES contests many of the statements in AL-20, including, but not limited to:

At page 2, AL-20 states: "NGA 911 has completed its IP-based NG911 network and is currently carrying 911 traffic to 13 Public Safety Answering Points ("PSAPs") and providing ANI/ALI services to 190 PSAPs which are interconnected on an ESInet. [Footnote omitted.] NGA 911's Central and Los Angeles Regions NG911 Networks are connected to the State's NG911 Network(s), tested and ready for OSP Migrations. A timeline for the migration is dependent upon Cal OES's removal of the 'Project Hold' status that has been in place for over a year."

Response: The number of PSAPs identified by NGA appears to be those that are receiving voice traffic, but the correct number is 14, not 13. More significantly, the "project hold" resulted from ongoing issues with network services due to complexities introduced by having multiple providers across multiple regions. The "project hold" was put in place to pause the migration of additional PSAPs to the NG911 network to allow Cal OES the time to engage with PSAPs and providers to better understand the user experience. Cal OES learned the complexities resulting from the interdependencies between the multiple providers under the current NG911 architecture complicated support process for PSAPs and delayed resolution of operational issues, thereby slowing the migration of PSAPs to the new NG911 network. Note that only 23 PSAPs have migrated to this new technology during a period of six years. A key objective of Cal OES is to develop a path forward that addresses the challenges experienced by the PSAPs. Cal OES continues to track and support resolution

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of problems, including network disruptions as recent as August 27, 2025.

At page 3, AL-20 states: "Until a new RFP [Request for Proposal] is issued to build a secondary (back-up) Statewide NG911 network, the outage-prone and technically antiquated legacy TDM 911 Network will remain in use."

Response: California already has a prime statewide NG911 provider in place. Of the current providers serving the NG911 system, the prime provider is the only provider that has connectivity across the entire state. This prime provider has three layers of redundancy built into its network. Shifting to the prime statewide provider will allow Cal OES to facilitate the implementation of NG911 across the state. The plan under consideration also includes acquisition of a second statewide provider with additional redundant network paths which will allow for even further redundancy. The plan under consideration will see the legacy TDM 911 network phased out sooner as opposed to the current regional provider model.

At page 3, AL-20 states: "These decision (sic) to decommission the regional NG911 networks will results (sic) in delays and likely increased (sic) number of 911 outages as a new NG911 networks (sic) is being built by a single source provider despite the existing NG911 networks being built, integrated, tested and turned up."

Response: Given that the prime provider's networks are already built and operational statewide, there will be no delay in building out their network. The prime provider is the only existing provider capable of providing statewide services. The plan under consideration by Cal OES would see NG911 services shift from a regional approach involving multiple providers across four regions and a statewide failover

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provider, to a statewide approach involving one provider and a second statewide provider in a backup role. The second provider will be acquired through an open procurement. The shift to a statewide NG911 service will reduce complexities and improve the PSAPs' experiences.

At page 3, AL-20 states: "Decommissioning the NG911 circuits, then will result in NGA 911 discontinuing service to PSAP locations throughout its service region, leaving no redundant circuits, which likely will lead to outage if the antiquated 911 networks experiences (sic) a failure."

Response: There are six layers of redundancy in the current NG911 design, three layers of redundancy are provided by NGA. Decommissioning the NGA circuits would not leave "no other redundant circuits," even while OES obtains a second provider through an open procurement.

At page 3, AL-20 states: "... [T]he Cal OES directions to NGA 911 will result in the withdrawal of a critical element of public safety"

Response: This is patently false. Cal OES asked NGA to prepare a decommissioning plan for approval by Cal OES. The decommissioning of redundant circuits will not compromise public safety as there are three additional layers of redundancy provided by the statewide prime provider. The true intent of AL-20 is likely to attempt to protect NGA's financial interests as the company currently receives monthly payments for the redundant circuits.

At pages 3-4, AL-20 incorrectly asserts or implies that Cal OES directives will increase reliance on legacy 9-1-1 systems.

Response: The assertion is incorrect. NG911 systems, including those installed by NGA, have proven to have unanticipated

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complexities. The issues resulted in the “Project Hold” mentioned in on page 2 of AL-20. Shifting NG911 services to a statewide provider will not increase demand or reliance on legacy 911 services, but will facilitate faster migration of additional PSAPs to a statewide NG911 system.

AL-20 contains material inaccuracies and devotes pages to conflating legacy 9-1-1 with NG911. Because AL-20 contains material errors and omissions, it should be rejected with prejudice.

IV. THE RELIEF REQUESTED IS INAPPROPRIATE FOR THE ADVICE LETTER PROCESS.

A. AL-20 IS NOT AN ADVICE LETTER.

As previously noted herein, AL-20 is not a typical advice letter, but instead is an ambiguous request that appears to invite the CPUC to weigh in on policy matters appropriately left to Cal OES. AL-20 does not meet the definition of an advice letter.

General Order 96-B, section 3.1 states: “Advice Letter” means (1) informal request by a utility for Commission approval, authorization or other relief, including an informal request for approval to furnish service under rates, charges, terms or conditions other than those contained in the utility’s tariffs then in effect, and (2) a compliance submittal by a load-serving entity pursuant to Public Utilities Code Section 380.”

Furthermore, according to General Order 96-B, section 5.1, the “advice letter process provides a quick and simplified review of the types of utility requests that are expected neither to be controversial nor to raise important policy questions.” AL-20 does not meet these guidelines.

AL-20 addresses important policy matters and invites controversy with inaccurate inflammatory statements about public safety. Because these matters are not appropriate for an advice letter, AL-20 should be rejected with prejudice.

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B. THE REQUEST IS UNCLEAR.

NGA's request for relief is unclear. Cal OES cannot determine what AL-20 is seeking.

- First, AL-20 appears to ask to withdraw its support for all Next Generation 9-1-1 services altogether. (AL-20, summary form, pp. 1, 3, 5-6, Attachment I, customer notice.)
- Next, AL-20 appears to be asking for CPUC's intervention to decide if Cal OES may direct that one redundant circuit be decommissioned. (AL-20, p. 3.)
- At another point, AL-20 claims to be an information only submission, stating "providing sufficient information ... to ensure the Commission is fully informed about NGA 911's involuntary discontinuance of service" (AL-20, p. 3).
- Alternatively, AL-20 represents that changes are being made to the tariff (AL-20, p. 5), but Cal OES has been unable to decipher what change to the tariff is being proposed.
- Furthermore, the Customer Notice is extremely vague and entirely inappropriate in that it appears to give the utility blanket authority to summarily "decommission regional NG911 networks." (AL-20, Attachment I.)

The shifting arguments create confusion about what AL-20 seeks and what CPUC is being asked to do. Because AL-20 is unclear, it is not a proper advice letter. Its many vagaries are so irreconcilable that it cannot be cured, requiring the CPUC to reject AL-20 with prejudice.

C. IF THE REQUEST IS READ TO BE LIMITED TO THE DECOMMISSIONING OF ONE REDUNDANT CIRCUIT, SUCH A REQUEST WOULD BE PREMATURE.

NGA admits that it was asked only to "prepare a decommissioning plan." (AL-20, p. 3.) Yet, AL-20 asks for authority to either completely decommission the entirety of NG911 network services (AL-20, Attachment

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l), or decommission redundant circuits within thirty days (AL-20, summary form.) Currently, Cal OES has not directed that any circuits be decommissioned on any schedule. Certainly, there was no request to decommission circuits by September 20, 2025.

AL-20 states at page 3:

Cal OES retained a contractor to develop a plan to decommission the NG911 network, and that contractor instructed NGA 911 to decommission NG911 circuits (which currently provide redundancy) "leaving only one (1) circuit to deliver location services."

The statement is inaccurate. First, there are multiple redundancies in place to handle all NG911 services. Second, there has been no directive to turn off circuits or decommission any circuits, let alone "the NG911 network." While a plan to transition to a statewide provider is under discussion, AL-20 appears to suggest that redundant circuits must be decommissioned by September 20, 2025, but no such directive has been given, only a request for a plan.

Furthermore, there has never been a plan to decommission "the NG911 network" in its totality as AL-20 and Attachment I state. Specifically, AL-20 states on its summary form that the effective date of its request to commence its "Involuntary Service Discontinuance for NG911 Service" is "September 20, 2025." (AL-20, summary form.) It is alarming that a current service provider would submit a summary form implying that such a request has been made and then fail to serve the customer with notice of such a broad and consequential request.

The support for AL-20's claim appears to stem from Attachment C, an e-mail which clearly asks NGA 911, LLC to "[p]repare a decommission plan for approval by Cal OES before decommissioning any circuit." (AL-20, p. 3, Attachment C.) First, preparing a plan is not a directive to decommission a circuit. Second, the e-mail was an agenda for items to be discussed at

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a then-future meeting, although such context is not evident because NGA only selected one e-mail of many to attach as an exhibit.

Thereafter, at page 5 in AL-20, NGA recounts the general definition of “withdrawal of service,” but then immediately claims that it is “being directed to take steps that will alter the terms of its NG911 tariff, in way that results in a withdrawal of NG911 service to the existing customer” (AL-20, p. 5.) This may have been an attempt to narrow the scope of the inquiry from discontinuing 911 service altogether to the decommissioning of one redundant circuit.

Even the narrowed issue is not appropriate for an advice letter. Again, no such directive exists. Any request by NGA to decommission redundant circuits on September 20, 2025, is a unilateral request by NGA with a fictitious timeline. Because the request is premature, the advice letter should be rejected.

D. AL-20 IS NOT A TIER 2 MATTER.

Even if the filer’s concerns were matters that could be addressed by the Commission, which they are not, AL-20 incorrectly asserts that it is a Tier 2 matter. However, General Order 96-B, Industry Rule 7.2, which explains what matters are appropriate for a Tier 2 advice letter, does not agree with the conclusion.

General Order 96-B, Industry Rule 7.2 identifies the following items to warrant a Tier 2 advice letter:

- (1) A New Service of a GRC-LEC. (See Industry Rule 8.3.)
- (2) A contract for a tariffed service by a GRC-LEC. (See Industry Rules 8.2.3, 8.2.4.)
- (3) Detariffing by an URF Carrier. (See Industry Rules 5, 5.1.)
- (4) A request to Transfer by a carrier other than a GRC-LEC or an URF Carrier that is an incumbent local exchange carrier. (See Industry Rule 8.6.2.)

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- (5) An advice letter otherwise appropriate to Tier 1 but for which the Utility submitting the advice letter requests review and disposition under Tier 2.
- (6) Price changes to special access service that are permitted to be filed in Tier 2, as ordered by the Commission.

AL-20 does not fit within any of these categories. Because AL-20 does not meet the definition of an "advice letter," and because AL-20 does not fit within any of the Tier 2 categories specified in General Order 96-B, it should be rejected with prejudice.

Also, service on Cal OES was required before submission of any Tier 2 letter. General Order 96-B, Industry Rule 7.2 states, in relevant part:

By submitting an advice letter in Tier 2, a Utility represents that the advice letter is properly filed in Tier 2, and that the Utility has complied with the applicable customer notice requirements, as set forth in Industry Rules 3 to 3.3 and as referenced in this Industry Rule 7.2. Pursuant to General Rule 4.2, the Utility must document its compliance with applicable customer notice requirements; if an advice letter accepted for filing is found not to have been noticed in compliance with these requirements, Staff will reject the advice letter without prejudice.

Because NGA failed to serve Cal OES properly, the advice letter should be rejected on this ground alone.

V. THE RELIEF REQUESTED IN THE ADVICE LETTER IS UNREASONABLE.

Most concerning, AL-20 may be interpreted as asking to withdraw NGA's support for NG 911 services altogether. Again, the summary form states an effective date of: "9/20/2025" and states that is the date for "Involuntary Service Discontinuance for NG911 Services." (AL-20, summary form.) Thereafter, the first sentence of AL-20 states: "NGA 911, LLC ... hereby

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submits this Tier II Advice Letter to discontinue service throughout its NG911 service area." The broad wording of the language is concerning. As previously stated, at no time has Cal OES directed NGA to discontinue provide NG911 services. Clearly, an advice letter is not the proper avenue to accomplish discontinuation of 911 service. (General Order 96-B, Industry Rule 5.)

The relief requested is unreasonable. Because the language used in AL-20 and the customer notice is imprecise and overly broad, AL-20 should be rejected with prejudice.

VI. THE ADVICE LETTER IS PROCEDURALLY DEFICIENT.

A. THE UTILITY DID NOT PROPERLY SERVE THE ADVICE LETTER OR THE CUSTOMER NOTICE.

Cal OES was never served with AL-20 despite NGA 911, LLC stating that Cal OES is the only customer impacted by the letter. (AL-20, p. 5). AL-20 does not represent that service was ever accomplished on Cal OES. Rather, the only reference to service is as follows:

Copies of this Advice Letter were served on the Commission Advice Letter Service list maintained on its website. Additionally, the Advice Letter will be made available to any interested party who contacts the undersigned at the address above." (AL-20, p. 6.)

General Rule 4.1 states: "The Commission intends that all interested person have the opportunity, through timely and efficient means . . . to receive notice of advice letter . . . submittals . . ." (General Order 96-B, section 4.1.)

Furthermore, pursuant to General Order 96-B, Industry Rule 3:

No later than the date that is 30 days before the advice letter's requested effective date, or on the date that the Utility submits the advice letter to the Telecommunications

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Advice Letter Coordinator, whichever date is earlier, **the Utility must give notice to each affected customer of the advice letter** if it requests approval of a Transfer, Withdrawal of Service, or higher rates or charges or more restrictive terms or conditions. (Emphasis added; see also General Order 96-B, section 4.2.)

On its face, AL-20 claims that it is requesting a withdrawal of service, although the document was not properly served on the customer. Specifically, AL-20 makes the following claims:

- The summary form states the subject of the filing is “involuntary service discontinuation.” (AL-20, summary form.)
- Thereafter, AL-20 alleges that NGA is being directed to take steps that result in a “withdrawal of service.” (AL-20, p. 5.)
- AL-20 also asserts it is contemplating a withdrawal of service by stating: “No Commission order requires or authorizes NGA 911 to withdraw its NG911 service, therefore an advice letter (or possibly an application is required) (sic).” (AL-20, p. 5.)

Despite the self-admitted request to withdraw services from Cal OES, NGA did not serve Cal OES with either the advice letter or the customer notice that was attached to AL-20 as Attachment I.

An advice letter or customer notice that is not properly served may be rejected and that is the proper outcome here. (General Order 96-B, section 7.1 and Industry Rule 5.3.)

B. REQUIRED INFORMATION WAS NOT PROVIDED.

AL-20 is also procedurally deficient because it does not provide all information required for an advice letter:

- **Deficient Summary Form/Cover Sheet:** Section 4.6 of General Order 96-B sets forth the required contents of the summary

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form. AL-20 does not use the current advice letter summary form. (CPUC Advice Letter Information, Filing Instruction 1.1.)

- **No Authority for Filing:** The summary form that is included does not state the authorization for the filing, but instead only cites generally to "General Order 96-B." (See General Order 96-B, section 4.6, paragraphs 5 and 8.)
- **Tariff Pages Not Attached:** AL-20 does not attach the tariff pages in issue despite AL-20 claiming at page 5 that NGA "is being directed to take steps that will alter the terms of its NG911 tariff." General Order 96-B, section 4.7, subparagraph (2) requires a utility to attach the tariff sheets showing the change that would be made by the advice letter. There is also no explanation of how the tariff would be changed.

The consequence of failing to provide required information is that the advice letter may be rejected without prejudice. (General Order 96-B, sections 4.6, 4.7.)

VII. CONCLUSION.

For all of the reasons stated in this protest letter, AL-20 should be rejected with prejudice. It is procedurally defective. Further, it is too confusing and unclear to approve. Cal OES cannot tell if NGA is taking issue with policy decision, suggesting a tariff change, threatening to discontinue 911 network services altogether, or taking it upon itself to decommission redundant circuits on its own schedule. At its core, AL-20 appears to take issue with Cal OES' contemplated policy decisions that may adversely impact NGA's financial interests. However, Cal OES is the agency that has the authority to direct 9-1-1 traffic.

VIII. CONTACT INFORMATION.

Cal OES requests that all service be accomplished by U.S. Mail and electronic mail as follows:

Paul Troxel, 9-1-1 Branch Manager

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California Governor's Office of Emergency Services
California 9-1-1 Emergency Communications Branch
601 Sequoia Pacific Blvd, MS 911
Sacramento, CA 95811-02311

IX. CERTIFICATION OF SERVICE.

On September 9, 2025, Cal OES sent a copy of this protest was sent by way of U.S. Mail and electronic mail as follows:

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| iCommLaw Anita Taff-Rice 1547 Palos Verdes, #298 Walnut Creek, CA 94597 Anita@icommlaw.com | NGA 911, LLC Michelle Bland 8383 Wilshire Blvd., Suite 800 Beverly Hills, CA 90211 Michelle@nga911.com |
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Respectfully submitted,

DocuSigned by:
David Neill
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David Neill, Chief Counsel
Office of Legal Affairs
California Governor's Office of Emergency Services