



September 15, 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: Synergem Technologies, Inc. Advice Letter No. 16 (AL-16)
Date Filed with CPUC: August 25, 2025
Synergem Technologies, Inc.'s CPUC Utility No.: U-7334-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 number 16 submitted by Synergem Technologies, Inc. (Synergem) on September 25, 2025 ("AL-16"). Cal OES requests that the California Public Utilities Commission ("CPUC" or "the Commission") reject AL-16 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 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; 2) The analysis, calculations, or



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data in the advice letter contain material errors or omissions; 3) The relief requested in the advice letter is inappropriate for the advice letter process; 4) The relief requested in the advice letter is unreasonable; and 5) The utility did not properly serve or give notice of the advice letter.

Please be advised that Synergem's AL-16 is related to an advice letter that was filed by NGA 911, LLC (CPUC Utility Number U-7347-C) on August 20, 2025 (NGA AL-20).¹ NGA AL-20 was submitted by the same attorney on behalf of another utility that provides Next Generation 9-1-1 (NG 911) services to Cal OES. This letter raises some of the same issues. However, the two advice letters are not identical. NGA's AL-20 acknowledges that Cal OES requested regional vendors draft a plan to decommission one redundant circuit, while Synergem's AL-16 dispenses with such details and, instead, jumps straight to asking CPUC to give permission to Synergem to stop providing NG 911 services altogether on September 25, 2025.

Cal OES submitted a protest in response to NGA AL-20 on September 9, 2025. On this same date, CPUC directed Cal OES to send notices of suspension of NGA AL-20 and Synergem AL-16 to the utilities. NGA AL-20 is suspended from September 19, 2025, through January 16, 2026. Synergem AL-16 is suspended from September 24, 2025, through January 1, 2026.

At its core, AL-16 takes issue with policy decisions it anticipates that CalOES will make—i.e., decisions not yet made—that would adversely impact Synergem'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. AL-16 mischaracterizes the parties' prior communications, ignores CPUC rules, ignores the plain language of the tariff, and asks for inappropriate relief. For all these reasons, AL-16 should be rejected.

II. THE RELIEF REQUESTED IN THE ADVICE LETTER WOULD VIOLATE STATUTE AND IS NOT AUTHORIZED BY STATUTE OR COMMISSION ORDER.

¹ NGA 911, LLC's advice letter was originally submitted by NGA as advice letter as number "19." Thereafter, the Commission corrected the numbering and renumbered the advice letter as number "20."

AL-16 fails to specifically identify the statute or Commission order that allows CPUC to consider this advice letter. Instead, AL-16 asks the Commission to violate its own orders, the Warren 9-1-1 Act, and public policy.

First, approving AL-16 would require the Commission to violate its own orders. AL-16 claims that the basis for filing the advice letter is an impending “withdrawal of service,” (AL-16, p. 3, ¶ 2) but fails to acknowledge that the definition applies to actions taken by the utility, not the customer (General Order 96-B, Industry Rules 3, 3.2). The facts underpinning AL-16 are that Cal OES is considering whether to cancel NG 911 services in the future. (AL-16, P. 3, ¶ 2.) However, a customer “cancelling” service is not the same as a utility “withdrawing” service. Pursuant to Synergem’s tariff, in the section entitled “Cancellation of Service,” the tariff states: “The Customer may have service discontinued upon written notice to the Company.” (Exhibit A, Synergem Tariff, Second Revised Sheet 36, Rule, 2., No. 3, ¶ C.) There has been no directive from Cal OES that Synergem “withdraw” service, nor could there be, since Cal OES can only “cancel” service.

Second, AL-16 requests that Synergem be allowed to unilaterally shutdown NG 911 service on September 25, 2025. (AL-16, summary form.) However, General Order 96-B, Industry Rule 5 states a carrier may not cancel any retail tariff currently in effect for “Basic Service 911 or e-911 service.” Clearly, an advice letter is not the proper avenue to accomplish discontinuation of NG 911 service.

Third, AL-16 asks the CPUC to violate the Warren 9-1-1 Act, which is codified at Government Code sections 53100 et seq. (the Act). The Act vests Cal OES with authority to implement NG 911 systems throughout California. AL-16 violates the Act by asking CPUC to intervene in Cal OES’ policy decisions concerning public safety. Similar to NGA AL-20, Synergem’s AL-16 argues that Cal OES’ potential plans to administer NG 911 network services should be reconsidered. (AL-16, pp. 5-6.)

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-16 requests CPUC to interfere with Cal OES’ policy decisions about how to route NG 911 services, it runs afoul of Government Code section 53121.

Fourth, AL-16 also runs afoul of the purpose of the Warren 9-1-1 Act, as well as the public interest. The 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, subd. (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, subd. (c).) Synergem 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.

Because AL-16 is an improper vehicle to allow Synergem unilateral authority to discontinue NG 911 services, and the request would violate the Warren 9-1-1 Act, it should be rejected with prejudice.

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

There are numerous statements in AL-16 which are inaccurate or misleading. There are also material omissions.

First, to be clear, Cal OES has not directed Synergem to “withdraw” or “discontinue” NG 911 services. Rather, Cal OES merely gave providers a courtesy notice that a policy shift was being considered. While AL-16 simultaneously claims that due to Cal OES’s actions it must “discontinue”

or “withdraw” services. Synergem admits that no directive has been issued. At page 3, states “ CalOES notified Synergem that it intends to decommission the regional NG 911 network and apparently terminate purchasing service from Synergem’s tariff and instead move to a single-vendor architecture for NG 911” Thereafter, on the same page, AL-16 states: “ ... CalOES has not provided an exact date of termination of the NG 911 service ...” Despite these admissions that there has been no directive by Cal OES, AL-16 still states on the summary form it seeks to “involuntarily discontinue” services.

AL-16 is notably ambiguous when summarizing Cal OES’ communications that allegedly give rise to the supposed directive to end NG 911 services. AL-16 cites to a letter to support its contention, but the letter only states that Cal OES is “assessing” the best deployment strategy going forward and is requesting vendor “participation” in a “thoughtful transition.” (AL-16, pp. 13-14, Attachment.) Despite this language, AL-16 answers the question asking for a “requested effective date” as “September 25, 2025.” (AL-16, cover sheet) This implies Synergem intends to unilaterally cut NG 911 network services on this date if the Commission approves AL-16. (AL-16, cover sheet, pp. 3, 5.)

Also undermining the credibility of Synergem’s request to have CPUC intervene in Cal OES policy matters is the fact that AL-16 repeatedly touts the importance of offering NG 911 services to the public (AL-16, p. 5), but then immediately undermines its own argument by asking that CPUC allow it to “withdraw” all NG 911 services, without notice to Cal OES, on September 24, 2025. (AL-16, cover sheet, pp. 1, 3, 6).

AL-16 highlights some of the ongoing problems with the current regional approach. The alleged “misunderstandings” with providers Synergem and NGA evidence ongoing difficulties in communicating with multiple NG 911 providers who appear to have various interpretations of the same events. For example, NGA AL-20 conflicts with Synergem AL-16, even though filed by the same attorney within one week of each other. NGA AL-20 admits that regional providers were only asked to develop a plan to decommission one redundant circuit while relying on the same

communication at issue here. Meanwhile, AL-16 claims there is a need to cut off all NG 911 services on September 25, 2025, and does not even mention the decommissioning of one redundant circuit. Neither interpretation accurately reflects the written communication.

Because AL-16 contains material misstatements, omissions and faulty analysis, the advice letter should be rejected with prejudice.

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

A. AL-16 IS NOT AN ADVICE LETTER.

AL-16 is not a typical advice letter. Instead, it is a request that invites the Commission to weigh in on policy matters appropriately left to Cal OES. A close look at the definitions of "advice letter" quickly establishes AL-16 cannot be considered as such.

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-16 does not meet these guidelines.

AL-16 does not seek any discernable change to the Synergem tariff. Instead, AL-16 addresses important policy matters and invites controversy with inaccurate facts and inflammatory statements intended to stoke public fear. Because these matters are not appropriate for an advice letter, AL-16 should be rejected with prejudice.

B. THE REQUEST IS UNCLEAR.

Synergem's request for relief is unclear and Cal OES cannot determine what AL-16 is seeking.

- First, AL-16 appears to ask to withdraw Synergem's support for all NG 911 services altogether. (AL-16, summary form, pp. 1, 2-3, 5.)
- Next, AL-16 appears to be asking for CPUC's intervention to decide Cal OES policy issues (AL-16, p. 5-6).
- Alternatively, AL-16 represents that changes are being made to the tariff (AL-16, pp. 3, 5-6), but Cal OES has been unable to decipher what change is being proposed. No proposed changes were submitted, and no tariff sheets were attached.
- Later, AL-16 claims to be informational. (AL-16, p. 5, ¶ 5.)
- Additionally, a customer notice was not provided despite AL-16 seemingly requesting blanket authority to summarily end NG 911 service on September 25, 2025. (AL-16, summary form.)

To the extent that AL-16 is asking for the Commission to sign off on a withdrawal of NG 911 services on September 25, 2025, the breadth of the request is alarming. While Synergem describes the discontinuation of support for NG 911 network services as being "involuntary," AL-16 also seeks authority to unilaterally cut off services on short notice.

AL-16 cannot decide what it is or under what authority it is being filed. These incongruities create confusion about what AL-16 seeks and what the Commission is being asked to do. Because AL-16 is unclear, it is not a proper advice letter. Its vagaries are so irreconcilable that it cannot be cured, requiring the Commission to reject AL-16 with prejudice.

C. SYNERGEM'S REQUEST IS PREMATURE.

As noted, Synergem has not been asked to discontinue providing NG 911 services. Yet, AL-16 asks for authority to "involuntarily" decommission the entirety of Synergem's NG 911 network services. Because no such directive has occurred, the request is not ripe. AL-16 should be rejected.

D. AL-16 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-16 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.)
- (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-16 does not fit within any of these categories. Because AL-16 does not meet the definition of an "advice letter," and because AL-16 does not fit within any of the Tier 2 categories, 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.

As discussed more fully herein in Section VI below, because Synergem failed to serve Cal OES properly, the advice letter should be rejected.

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

AL-16 asks to withdraw Synergem's support for NG 911 services altogether. Again, the summary form states an effective date of: "9/25/2025" and states that is the date for "Involuntary Service Discontinuance for NG911 Services." (AL-16, summary form.) The broad wording of the language is concerning and unreasonable for all of the reasons stated herein. As a result, the advice letter should be rejected with prejudice.

VI. THE ADVICE LETTER IS PROCEDURALLY DEFICIENT.

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

Cal OES was never served with AL-16 despite Synergem stating that Cal OES is the only customer impacted by the letter. (AL-16, p. 4). AL-16 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-16, 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 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-16 claims that it is requesting a withdrawal of service, although the document was not served on its customer. Again, it is alarming that a current service provider would submit a summary form implying a request has been made to cut off NG 911 services and then fail to serve the actual customer with notice of such a broad and consequential request.

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

B. REQUIRED INFORMATION WAS NOT PROVIDED.

AL-16 is also procedurally deficient because it does not provide all information required for an advice letter:

- **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” and erroneously tries to cast its claims a “withdrawal of service” when it is a request

for CPUC to intervene in a potential future Cal OES policy decision to “cancel” services. (See General Order 96-B, section 4.6, paragraphs 5 and 8.)

- **Tariff Pages Not Attached:** AL-16 does not attach the tariff pages in issue despite AL-16 claiming at page 4 that Synergem “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.
- **No Customer Notice.** As noted, no customer notice was provided. (General Order 96-B, Industry Rule 3.)

The consequence of failing to provide required information is that the advice letter may be rejected. (General Order 96-B, sections 4.6, 4.7.)

VII. CONCLUSION.

For all of the reasons stated herein, Cal OES requests that AL-16 be rejected with prejudice.

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
Paul.Troxel@CalOES.ca.gov
California Governor’s Office of Emergency Services
California 9-1-1 Emergency Communications Branch
601 Sequoia Pacific Blvd, MS 911
Sacramento, CA 95811-02311

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IX. CERTIFICATION OF SERVICE.

On September 15, 2025, Cal OES sent a copy of this protest by way of overnight delivery and electronic mail as follows:

| | |
|--|---|
| iCommLaw Anita Taff-Rice 1547 Palos Verdes, #298 Walnut Creek, CA 94597 Anita@icommlaw.com | Synergem Technologies, Inc. Jeff Schlueter 371 Windrush Lane Mount Airy, NC 27030 jschlueter@synergemtech.com |
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Respectfully submitted,

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

EXHIBIT A

Synergem Technologies, Inc.
371 Windrush Lane
Mount Airy, NC 27030
U-7334-C

Schedule Cal. P.U.C. No. 1-T
First Revised Title Sheet
Cancelling Original Title Sheet

COMPETITIVE LOCAL CARRIER

Tariff Schedule Applicable to
COMPETITIVE LOCAL EXCHANGE AND
911 CALL TRANSPORT SERVICES

of

Synergem Technologies, Inc.

U-7334-C

Applying to Provide Competitive Local Exchange and 911 Call Transport Services
Between Points in the State of California and Containing Rates, Rules and Regulations
Governing Service.

Advice Letter No. 5A
Decision No. D.18-03-005
Resolution No.

Issued by:
Sandra W. Hallman
CFO

Issued: June 7, 2019
Effective: June 8, 2019

Synergem Technologies, Inc.
371 Windrush Lane
Mount Airy, NC 27030
U-7334-C

Schedule Cal. P.U.C. No. 1-T
Second Revised Sheet 36
Cancelling First Revised Sheet 36

COMPETITIVE LOCAL CARRIER

2.0 - RULES, (CONTINUED)

No. 3 Application for Service, (Continued)

B. Cancellation of Application for Service. (Continued)

Where, prior to cancellation by the Customer, the Company incurs any expenses in installing the service or in preparing to install the service that it otherwise would not have incurred, a charge equal to the costs the Company incurred, less net salvage, shall apply, but in no case shall this charge exceed the sum of the charges for the minimum period of services orders, including installation charges, and all charges others levy against the Company that would have been chargeable to the Customer had service begun (all discounted to present value at six percent.)

Where the Company incurs any expense in connection with special construction, or where special arrangements of facilities or equipment have begun, before the Company receives a cancellation notice, a charge equal to the costs incurred, less net salvage, applies. In such cases, the charge will be based on such elements as the cost of the equipment, facilities, and material, the cost of installation, engineering, labor, and supervision, general and administrative expense, other disbursements, depreciation, maintenance, taxes, provision for return on investment, and any other costs associated with the special construction or arrangements.

Charges are subject to the provisions of General Order No. 96-A.

C. Cancellation of Service:

The Customer may have service discontinued upon written notice to the Company. The Customer shall be responsible for payment of all bills for services rendered. A termination liability charge may apply to early cancellation of a term agreement.

(C)
(C)
(C)
(C)
(C)

Charges are subject to the provisions of the Commission's General Order No. 96-A.

(T)

D. Continuation of Service

All service is offered to business customers under term agreements. Customers will have the opportunity to renew term agreements prior to the end of the existing term so as not to cause any disruption in service.

Continued

Advice Letter No. 5B
Decision No. D.18-03-005
Resolution No.

Issued by:
Sandra W. Hallman
CFO

Issued: June 7, 2019
Effective: June 8, 2019