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November 18, 2019

Marybel Batjer
President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

**Re: Charter Communications, Inc. Response to November 13, 2019
Letter to Communications Industry Leaders**

Dear President Batjer:

By this letter, Charter Communications, Inc., on behalf of its affiliates, Time Warner Cable Information Services (California), LLC, Charter Fiberlink CA-CCO, LLC, and Bright House Networks Information Services (California) (collectively referred to as “Charter”) responds to the requests in your letter dated November 13, 2019.¹

Charter remains fully committed to working with the Commission, Cal OES, and other parties to address concerns raised in your letter. The company recognizes the importance of its services to its customers and takes very seriously the need to restore service as quickly as possible after disasters like the recent wildfires in California, and concern about widespread Public Safety Power Shutoff (“PSPS”) events as experienced in October 2019.

We are also committed to helping connect people to their loved ones under these difficult circumstances. For instance, on its own initiative, Charter provided free Wi-Fi service in emergency shelters within portions of its service areas affected by the wildfires, allowing victims and displaced persons access to broadband services. This is one example of how we, as a company are committed to assisting Californians impacted by these devastating events.

Charter’s ability to serve our customers depends on the performance of our network. Planning ahead – before disasters occur – has always been part of Charter’s approach to

¹ Per Decision 15-05-007, the Commission granted transfer of control of Bright House Networks Information Services (California) and Time Warner Cable Information Services (California), LLC to Charter Communications, Inc.

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reduce the impact of these events on our customers. As detailed in the responses provided in this letter, Charter has taken extensive actions to harden the communications infrastructure for risk, including but not limited to wildfires and PSPS events. Charter has already designed its headends and hubs to have redundant connections to services (*e.g.*, Internet, phone or video) so that damage to a single feed (such as in the case of a fire or a car crash) would not impact delivery of services. In addition to redundant routing, all these facilities are equipped with back-up generator. The back-up generators are regularly refueled to provide continuous power if refueling does not itself create a safety or wildfire risk.

Of course, improved preparation and coordination will assist but cannot entirely prevent outages from occurring. The recent PSPS events eliminated commercial power to parts of our service area for an extended period regrettably resulting in service disruptions to some of our subscribers. Like all communications providers, Charter is dependent on commercial power and is unable to provide a redundant and long-term power source if PG&E, SCE, or other utilities de-energize their systems for public safety purposes for an extended period of time.

Some notices from some power providers in recent PSPS events were lacking and insufficient in details. Through CCTA, we have provided recommendations to improve the communications received from electric utilities about PSPS which will allow for a faster and more effective response. Charter has also recently joined the California Utilities Emergency Association (CUEA) and is prepared to work with Cal OES to develop effective and efficient protocols for sharing relevant information. The collective goal of the CPUC, Cal OES, and the communications providers should be to provide access to meaningful and timely information with consistent expectations. It is important to note, however, that Charter did not receive data requests from Cal OES, nor was it among the companies referenced in Cal OES Director Mark Ghilarducci's October 26, 2019 letter to some other communication providers.

Lastly, Charter has complied with the directives of D.18-08-004 and D.19-08-025 by providing consumer protections and safety actions to customers who have suffered from disruption or degradation of service caused by wildfires or other disasters and has reported such actions in timely filed advice letters.

As noted, Charter has provided specific responses to the requests in your letter to the best of its ability on short notice. Please note that in a few limited situations, the information provided is designated as confidential. Additionally, I will make the Opening Statement on behalf of Charter as its highest official in California and be available to answer questions at

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the upcoming Pre-Hearing Conference in the Emergency Disaster proceeding on
November 20, 2019 in San Francisco.

Respectfully submitted,

Deborah Picciolo

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cc: Liane Randolph, Commissioner
Martha Guzman Aceves, Commissioner
Cliff Rechtschaffen, Commissioner
Genevieve Shiroma, Commissioner
All Parties on the Service List for R.18-03-011 (Public Version Only)

Enclosures:

- (1) Responses of Charter Communications to Data Requests in 11.13.19 Letter
- (2) Declaration of Daniel Gonzalez, GVP, State Regulatory Affairs supporting Confidential Treatment of certain information provided in the responses

**RESPONSE OF
CHARTER COMMUNICATIONS, INC.**

**ON BEHALF OF
CHARTER FIBERLINK CA-CCO, LLC (U-6878-C),
BRIGHT HOUSE NETWORKS INFORMATION SERVICES
(CALIFORNIA) (U-6955-C), AND TIME WARNER CABLE
INFORMATION SERVICES (CALIFORNIA), LLC (U-6874-C)**

November 18, 2019

[PUBLIC VERSION]

Response of Charter Communications, Inc.

Date of Request: November 13, 2019

QUESTION 1:

Responsiveness during the latest wildfires and public safety power shutoffs to keep communications services on.

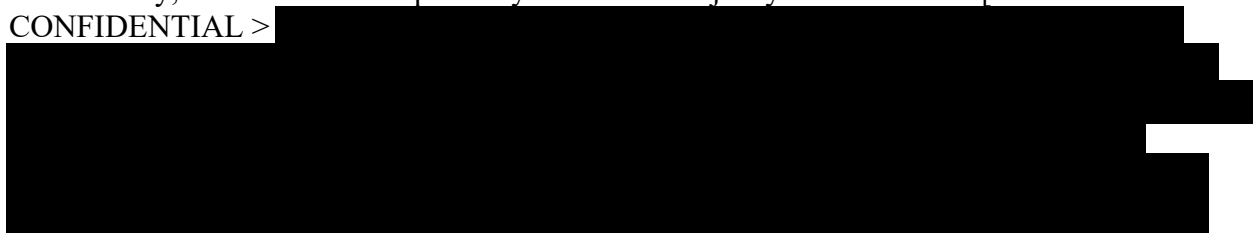
Wireless companies appear to have not been adequately prepared for the outages from the number of cell sites that were out of service. Cable companies appear to have had massive network outages due to lack of power. Landline facilities failed. In order to mitigate the risk of these types of issues occurring in the future, specifically identify:

- *The amount and type of power available on site at your central offices, headends and wireless switches, indicating how long these facilities can operate at average load without main power and what your plan is to refuel, if a generator is present. Separately, indicate the number of remotes, field cabinets, nodes or other devices between the subscriber's homes and your central office and headends, and how long each of these devices can operate at average load without main power. Further, provide your refueling plans for these field cabinets, nodes, and remotes.*

CHARTER RESPONSE: At the outset, Charter takes exception to the initial statement that suggests that all cable companies had massive network outages due to lack of power with regard to Charter's performance in recent events. Charter's service footprint in southern California is larger than in the northern part of the state. As a result, Charter experienced less impact from PG&E's PSPS events than other providers.

Charter takes these issues very seriously and works hard to ensure standby service in the event of commercial power outages. Incumbent telephone networks, and cable networks in particular, are not designed to be a long-term replacement for the loss of commercial power. Communication networks cannot provide a redundant power source as a wholesale substitute for electric utility networks. That said, Charter, like other communications providers, has engineered its network to enable temporary emergency backup power to support its network during short-term loss of commercial power sources.

Charter has invested hundreds of millions of dollars in these efforts in California, and we continue to do so. Charter's headends and hubs have backup generators and batteries. Additionally, nodes have backup battery at the vast majority of locations. < [BEGIN
CONFIDENTIAL >



[REDACTED]

[REDACTED] < END CONFIDENTIAL >

Charter also supplements its battery backup with generators where it is safe and feasible to temporarily connect a generator to a node or other facility.

- *For wireless providers, provide a list of the cell sites which you have located in the Tier 2 and Tier 3 fire threat areas and how long each facility can operate at average load with onsite power. If the site has a generator, how long can this site operate at average load without refueling and what are your refueling plans?*

CHARTER RESPONSE: This question appears to be addressed to facilities-based wireless providers. Charter provides wireless services only as a reseller and is not a facilities-based wireless provider.

- *Describe the locations in your network where actions need to be taken to harden the communications infrastructure for risk, including but not limited to, wildfires and PSPS events. Provide a list of specific locations that allow emergency responders to understand where catastrophic events (wind, water, fire, earthquake and subsidence) may have local and regional reliability impacts. This must include areas and communities where fiber backhaul routes do not have adequate hardening or physical redundancy.*

CHARTER RESPONSE: Charter has taken extensive actions—and will continue doing so—to harden the communications infrastructure for risk, including but not limited to wildfires and PSPS events. Charter’s actions include both physical steps taken to add redundancies to its system and monitoring and repair of its systems. With regard to physical steps, Charter has redundancy at headend and hubs to provide connections to services (e.g., Internet, phone or video) and in doing so ensure that damage to a single feed (such as in the case of a fire or a car crash) would not impact delivery of services. In addition, Charter has backup power at headends, hubs, and nodes as set forth in the above response.

With regard to inspection and repairs, Charter adheres to all General Order (“GO”) 95 inspection, repair and other rules, as well as GO 128 regarding underground communications facilities. Charter field maintenance and fulfillment personnel are trained to detect and report infrastructure risks. Additionally, Charter has a dedicated team of technicians that performs inspections on its overhead and underground facilities in order to detect infrastructure problems, including, consistent with GO 95, conducting patrols for risks in its entire plant and detailed annual inspections of 20 percent of the plant in high fire areas to ensure that all plant in high fire areas undergoes detailed inspections on a rolling five-year period. Charter also monitors its

equipment to help ensure that we identify issues before they become problematic and takes measures to prevent operational issues in disaster situations.

Charter's network infrastructure is a vital asset in providing modern communications services to Californians. As previously noted, the overwhelming majority of our network infrastructure does have backup power. We will continue to engage in measures we identify to harden the communications infrastructure for risk; however, as a communications service provider, we remain dependent on power sources we do not produce.

- *Provide the reports of outages which you sent to the FCC for each day of the recent Disaster Information Reporting System (DIRS) activation in California.*

CHARTER RESPONSE: Attached as Confidential **Exhibit A** are the reports of outages which Charter sent to the FCC for each day of the recent Disaster Information Reporting System (DIRS) activation in California. Please note that these reports are CONFIDENTIAL and have been submitted consistent with GO 66-D, Section 583 of the Public Utilities Code and Decision 17-09-023. In addition, confidentiality treatment is supported by the accompanying declaration of Daniel Gonzalez, Charter's Group Vice President, State Regulatory Affairs.

EXHIBIT A

Charter's Request for Confidential Treatment and its Confidential Disaster Information Reporting System (DIRS) Reports are not included in this public version of its response.

RESPONSE OF CHARTER COMMUNICATIONS, INC.

Date of Request: November 13, 2019

QUESTION 2:

Engagement and timely responsiveness to requests from Cal OES and CAL FIRE.

Cal OES Director Ghilarducci has recently identified concerns related to information sharing and coordination with local governments, especially county emergency management departments during emergency events. The November 1, 2018 workshop identified problems that emergency agencies have with getting timely and correct information from the communications providers. They include, but are not limited to, general communication processes and procedures, accuracy and timeliness of providing relevant information, and establishing two-way communication channels that enable the utilities to address local concerns. Though a representative of the communications companies through the California Utilities Emergency Association (CUEA), has a desk in the state warning center, the Director was clear that there was a lack of participation and transparency during the recent events. Therefore, communication providers are directed to take immediate corrective actions that, at a minimum, include:

- *Confirm the name of an Emergency Operations Center (EOC) liaison that can be present 24/7 in the state operations center during emergency response events. The EOC liaisons shall be trained in emergency response, in accordance with Standardized Emergency Management System (SEMS) and have working knowledge of utility operations and business processes. ▪ Develop and implement processes that will ensure that County EOC liaisons will have the latest information during PSPS and wildfire events and are enabled and empowered to resolve local issues as they arise.*
- *Establish a more effective communication structure with state, county and tribal government emergency management personnel. This communications structure shall be separate and unique from general updates to local governments and other stakeholders to allow for emergency personnel to receive the support and information required to properly respond.*

CHARTER RESPONSE:

As a preliminary matter, Charter is aware that during recent events, some providers received requests from Cal OES. Charter did not receive any requests from Cal OES during recent events and even reached out and verified with Cal OES that no such requests had been made to Charter. As such, Director Ghilarducci's comments were not directed at Charter, nor was Charter listed among providers in his October 26, 2019 letter criticizing communications providers.

Regardless, Charter agrees that engagement and responsiveness to these types of requests are imperative. Therefore, Charter recently joined the California Utilities Emergency Association (CUEA). In addition, Charter believes that direct communication with Cal OES is critical. To that end, we would like to work together directly with Cal OES. As a first step, Charter proposes

that we have a meeting with Cal OES to learn exactly what Cal OES needs and what Charter can do to meet those needs. We recommend having an association (i.e., CCTA) representative present as well. In events prior to October 2019, when OES needed direct contact with Charter it was able to do so, and Charter will continue to work with OES to ensure that OES has the type of contact it needs in a time of crisis.

RESPONSE OF CHARTER COMMUNICATIONS, INC.

Date of Request: November 13, 2019

QUESTION 3:

Compliance with D.19-08-025.

Decision 19-08-025 directs communications carriers to provide a minimum level of consumer protections and safety actions in the case of a declared disaster. Based on responses we have received so far, the CPUC needs to hear more specifics about what you are doing, and provide specifics such as what equipment and when.

CHARTER RESPONSE:

Charter has complied with the directives of D.18-08-004 and D.19-08-025 by providing consumer protections and safety actions to customers who have suffered from disruption or degradation of service caused by wildfires or other disasters. Such protections include:

- Waiver of one-time activation fee for establishing remote call forwarding, remote access to call forwarding, call forwarding features and messaging services;
- Waiver of the monthly rate for one month for remote call forwarding, remote access to call forwarding, call forwarding, call forwarding features, and messaging services;
- Waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the premises;
- Waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire Plan;
- Waiver of the fee for up to five free jacks and associated wiring for Inside Wiring Plan customers upon their return to their permanent location; and
- A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location.

The additional requirements apply only with respect to California LifeLine:

- The California LifeLine renewal process shall be delayed and de-enrollment for non-usage shall be suspended.

Charter has publicized these consumer protections through direct communications with its customers and through the launch of a webpage in October 2019 at

<https://www.spectrum.net/CARelief> setting forth the provisions in multiple languages.

Similarly, as required by D.19-08-025, Charter has provided temporary use wireless phones at emergency shelters for its customers.

Charter has also reported such actions in timely filed advice letters. Specifically, Charter's actions in this regard have included the following:

- Charter has timely filed the following Advice Letters:
 - August 24, 2018: Advice Letter No. 154 of Charter Fiberlink CA-CCO, LLC (U-6878-C) (verifying Charter's compliance with "emergency customer protections" for residential and small business customers affected by a disaster, for the declared states of emergency in the Counties of Riverside, Shasta, and Orange)
 - August 24, 2018: Advice Letter No. 36 of Time Warner Cable Information Services (California), LLC (U-6874-C) (verifying compliance with "emergency customer protections" for residential and small business customers affected by a disaster, for the declared states of emergency in the Counties of Riverside, Shasta, and Orange)
 - November 21, 2018: Advice Letter No. 157 of Charter Fiberlink CA-CCO, LLC (U-6878-C) (verifying compliance with D.18-08-004 for the wildfire state of emergency in Ventura and Los Angeles Counties)
 - November 21, 2018: Advice Letter No. 39 of Time Warner Cable Information Services (California), LLC (U-6874-C) (verifying compliance with D.18-08-004 for the wildfire state of emergency in Ventura and Los Angeles Counties)
 - October 14, 2019: Advice Letter No. 33 of Bright House Networks Information Services (California) (U-6955C) (pursuant to D.19-08-025, setting forth a compliance plan for outreach detailing the customer protections for Charter customers in affected areas upon a declaration of a state of emergency)
 - October 14, 2019: Advice Letter No. 164 of Charter Fiberlink CA-CCO, LLC (U-6878-C) (pursuant to D.19-08-025, setting forth a compliance plan for outreach detailing the customer protections for Charter customers in affected areas upon a declaration of a state of emergency)
 - October 14, 2019: Advice Letter No. 44 of Time Warner Cable Information Services (California), LLC (U-6874-C) (pursuant to D.19-08-025, setting forth a compliance plan for outreach detailing the customer protections for Charter customers in affected areas upon a declaration of a state of emergency)
 - October 28, 2019: Advice Letter No. 165 of Charter Fiberlink CA-CCO, LLC (U-6878-C) (verifying compliance with mandated disaster relief measures in D.19-08-025 for Los Angeles and Riverside counties and provides updates to the Emergency Disaster Relief Plan submitted to the Commission on October 14, 2019)
 - October 28, 2019: Advice Letter No. 45 of Time Warner Cable Information Services (California), LLC (U-6874-C) (verifying compliance with mandated disaster relief

measures in D.19-08-025 for Los Angeles and Riverside counties and provides updates to the Emergency Disaster Relief Plan submitted to the Commission on October 14, 2019)

- November 12, 2019: Advice Letter No. 46 of Time Warner Cable Information Services (California), LLC (U-6874-C) (verifying compliance with mandated disaster relief measures in D. 19-08-025 for Los Angeles and Sonoma Counties and providing updates to the Emergency Disaster Relief Plan submitted to the Commission on October 14, 2019)
- November 12, 2019: Advice Letter No. 47 of Time Warner Cable Information Services (California), LLC (U-6874-C) (with regard to the statewide declaration of emergency, verifying compliance with mandated disaster relief measures in D. 19-08-025 and providing updates to the Emergency Disaster Relief Plan submitted to the Commission on October 14, 2019)
- November 12, 2019: Advice Letter No. 166 of Charter Fiberlink CA-CCO, LLC (U-6878-C) (with regard to the statewide declaration of emergency, verifying compliance with mandated disaster relief measures in D. 19-08-025 and providing updates to the Emergency Disaster Relief Plan submitted to the Commission on October 14, 2019)
- Charter also provided the following confidential daily reports, in response to the Communications Division's requests for information on the impact of the Maria, Saddleridge, and Tick fires:
 - October 23, 2019 (Saddleridge Fire)
 - October 26, 2019 (Tick Fire)
 - October 27, 2019 (Tick Fire)
 - October 28, 2019 (Tick Fire)
 - October 29, 2019 (Tick Fire)
 - October 30, 2019 (Tick Fire)
 - October 31, 2019 (Tick Fire)
 - November 2, 2019 (Maria Fire)
 - November 3, 2019 (Maria Fire)
 - November 4, 2019 (Maria Fire)
- Additionally, on November 8, 2019, Charter provided responses to the Communications Division's October 21, 2019 data request concerning the October 2019 PSPS events.

Finally, Charter has exceeded these consumer protections, for example, by providing Wi-Fi in numerous emergency shelters, allowing victims and displaced persons high-speed broadband access to the internet, including access to news and other media, as well as access to Charter services.

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