

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

TITLE 19. PUBLIC SAFETY TEXT OF PROPOSED EMERGENCY REGULATIONS

The proposed emergency regulations consist entirely of new additions to the California Code of Regulations. The text of these proposed regulations is presented without underline.

Division 5. California Governor's Office of Emergency Services – Public Safety Communications Division

Chapter 1. Community Isolation Outage Thresholds

§ 5001. Definitions

The following definitions apply to this chapter:

(a) "Community isolation outage" means an outage that meets any of the reporting threshold criteria set forth in this chapter.

(b) "Office" means the Governor's Office of Emergency Services.

(c) "Outage" means a significant degradation in the ability of an end user to establish and maintain a channel of communications to make 911 calls or receive emergency notifications as a result of failure or degradation in the performance of a communications provider's network.

(d) "Telecommunications service" has the same meaning as defined in Government Code section 53122.

(e) "ZIP Code" means a five digit postal code established by the United States Postal Service. For purposes of these regulations, a ZIP Code associated only with (1) a Post Office Box, or (2) a single physical address, shall be deemed part of the nearest ZIP Code not meeting the descriptions of subparts (1) or (2) of this subdivision for determining thresholds and reporting purposes.

Authority: Gov. Code, § 8585, Stats.2019, c. 412 (S.B.670), § 1, eff. Oct. 2, 2019.
Reference: Gov. Code, § 53122.

§ 5002. Community Isolation Outage Reporting Thresholds

(a) A community isolation outage that limits a telecommunications service provider's end users' ability to make 911 calls or receive emergency notifications shall be deemed to exist, and must be reported to the office, when any of the following conditions exist:

(1) For telecommunications service provided by facilities-based carriers, other than mobile telephony service as defined in Public Utilities Code section 224.4 or Voice over Internet Protocol (VoIP) service as defined in Public Utilities Code section 239, herein referred to as wireline, an outage that lasts at least 30 minutes and potentially affects (A) at least 100 end users in a single ZIP Code, or (B) at least 50% of end users in a ZIP Code with fewer than 100 end users;

(2) For telecommunications service provided by VoIP or Internet Protocol enabled service, as those terms are defined in Public Utilities Code section 239, an outage that lasts at least 30 minutes and potentially affects (A) at least 100 end users in a single ZIP Code, or (B) at least 50% of end users in a ZIP Code with fewer than 100 end users;

(3) For telecommunications service provided by mobile telephony service, as that term is defined in Public Utilities Code section 224.4, an outage that lasts at least 30 minutes and affects at least 50 percent of a carrier's coverage area in a single ZIP Code;

(4) For any telecommunications service, whenever the office determines that a community isolation outage exists within an identifiable ZIP Code or ZIP Codes and provides notice of its determination and identification of the affected ZIP Code or ZIP Codes to a telecommunications service provider. For purposes of this paragraph, every telecommunications service provider subject to these regulations shall provide the office at least one designated point of contact or similar means to receive and respond to such notices.

(b) Nothing in subdivision (a) precludes or limits the ability of a telecommunications service provider to notify the office of a community isolation outage whenever a provider reasonably suspects or believes such an outage exists.

Authority: Gov. Code, § 8585, Stats.2019, c. 412 (S.B.670), § 1, eff. Oct. 2, 2019.
Reference: Gov. Code, § 53122.

§ 5003. Notification Requirements

(a) Telecommunications service providers shall provide the notices required by Government Code section 53122, subdivision (c) via electronic submission to the office. Electronic notices shall be made on a form prescribed by the office and submitted to CA911outages@caloes.ca.gov. The office may implement an alternative online submission method, including through an application program interface, and upon such implementation, providers may use the alternative submission method in lieu of the office's form.

(b) Telecommunications service providers submitting an initial community isolation outage notification required by Government Code section 53122 shall provide telephonic confirmation of the submission by calling (916) 698-5555. Subsequent notifications and updates shall also be provided electronically pursuant to this section, but do not require telephonic confirmation of submission.

(c) For purposes of the requirement in Government Code section 53122 that notification to the office include "a description of the estimated area affected by the outage and the approximate communities, including cities, counties, and regions, affected by the outage," telecommunications service providers shall list each affected ZIP Code, with an associated, readily-identifiable descriptive term that will enable validation of the ZIP Code, such as the name of a city, county, community name, or similar descriptive term, which shall be deemed sufficient for purposes of the initial notification to the office.

(d) For the purposes of the requirement in Government Code section 53122 that notification to the office include "the estimated time to repair the outage" and "when achieved, the restoration of service," telecommunications service providers shall submit updated notifications at least once every 6 hours from the most recent notification until the service has been restored, and a final notification once the service has been restored.

(e) Nothing in subdivision (d) precludes or limits the ability of a telecommunications service provider to provide an update to the office whenever a provider reasonably suspects or believes an update is required.

Authority: Gov. Code, § 8585, Stats.2019, c. 412 (S.B.670), § 1, eff. Oct. 2, 2019.
Reference: Gov. Code, § 53122.