

**NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION**

# CERT

For use by Secretary of State only

STD. 400 (REV. 10/2019)

<b>OAL FILE NUMBERS</b>	<b>NOTICE FILE NUMBER</b> Z-2021-0201-02	<b>REGULATORY ACTION NUMBER</b> 2021-0528-02C	<b>EMERGENCY NUMBER</b>
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

JUL 13 2021  
3:06 PM

2021 MAY 28 P 1:10  
OFFICE OF  
ADMINISTRATIVE LAW

<b>AGENCY WITH RULEMAKING AUTHORITY</b> Governor's Office of Emergency Services	<b>AGENCY FILE NUMBER (If any)</b>
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**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

<b>1. SUBJECT OF NOTICE</b> Community Isolation Outage Regulations	<b>TITLE(S)</b> 19	<b>FIRST SECTION AFFECTED</b> 2480.1	<b>2. REQUESTED PUBLICATION DATE</b> February 12, 2021
<b>3. NOTICE TYPE</b> <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	<b>4. AGENCY CONTACT PERSON</b> Beth Abdallah	<b>TELEPHONE NUMBER</b> (916) 952-9449	<b>FAX NUMBER (Optional)</b>
<b>OAL USE ONLY</b>	<b>ACTION ON PROPOSED NOTICE</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	<b>NOTICE REGISTER NUMBER</b>	<b>PUBLICATION DATE</b>

per agency request

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

<b>1a. SUBJECT OF REGULATION(S)</b> Community Isolation Outage Regulations	<b>1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)</b> 2020-0616-02E, 2021-0322-02EEK, 2021-0322-02EEK
<b>2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)</b>	

<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	<b>ADOPT</b> sections 2480.1, 2480.2, 2480.3
	<b>AMEND</b>
	<b>REPEAL</b>
<b>TITLE(S)</b> 19	

**3. TYPE OF FILING**

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

**4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)**  
April 15, 2021 through April 30, 2021

**5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)**

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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**6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

<b>7. CONTACT PERSON</b> Beth Abdallah	<b>TELEPHONE NUMBER</b> 916-952-9449	<b>FAX NUMBER (Optional)</b>	<b>E-MAIL ADDRESS (Optional)</b> Beth.Abdallah@CalOES.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

<b>SIGNATURE OF AGENCY HEAD OR DESIGNEE</b> <i>Alex Pal</i>	<b>DATE</b> 5/21/2021
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**TYPED NAME AND TITLE OF SIGNATORY**  
Alex Pal, Chief Counsel

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

JUL 13 2021

Office of Administrative Law

**CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES  
TITLE 19. PUBLIC SAFETY  
TEXT OF PROPOSED EMERGENCY REGULATIONS**

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Proposed deletions from the California Code of Regulations are displayed in ~~strike through~~.

Proposed additions to the California Code of Regulations are displayed in underline.

Proposed deletions after the 45-day comment period are displayed in ~~double strike through~~.

Proposed additions after the 45-day comment period are displayed in double underline.

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**Division 2. California Governor's Office of Emergency Services – Public Safety  
Communications Division  
Chapter 1.5. Community Isolation Outages**

**§ 2480.1 – 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; Gov. Code, § 53122.

Reference: Gov. Code, § 53122.

## **§ 2480.2. 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 VoIP service as defined in PUC code 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 Voice over Internet Protocol 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 meeting ~~the~~ any of the criteria specified in paragraphs (1) – (3) exists within an identifiable ZIP Code or ZIP Codes and provides notice of its determination and identification of the 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; Gov. Code, § 53122.

Reference: Gov. Code, § 53122.

### § 2480.3. 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 ~~in~~in a format 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. Telecommunication carrier's compliance is required with the prescribed electronic submission format within 90 days of notification from the office.

~~(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)~~(b) 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.

(1) For wireline and VoIP outages, the notice shall also include the estimated number of potentially impacted end users.

(2) For mobile telephony outages, the notice shall also include the estimated percentage of coverage degradation in the affected ZIP Codes.

~~(d)~~(c) 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)~~(d) Nothing in subdivision ~~(d)~~(c) 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; Gov. Code, § 53122.

Reference: Gov. Code, § 53122.