

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 13, 2017

By Email & U.S. Post

Isabelle M. Salgado
Vice President
& Associate General Counsel
AT&T
430 Bush Street, Room 320,
San Francisco, CA 94108
is1615@att.com

Charles E. Born, Mgr.
Frontier Communications of California/
Citizens Telecom's of California
9260 E. Stockton Blvd.
Elk Grove, CA 95624
Charlie.Born@ftr.com

Jesus G. Roman
Verizon Wireless
15505 Sand Canyon Ave. D201
Irvine, CA 92618
jesus.g.roman@verizon.com

John Gutierrez, Dir. Of Govt. Affairs
Comcast Phone of California
3055 Comcast Place
Livermore, CA
John_Gutierrez@cable.comcast.com

Stephen Kukta, Dir. – State Regulatory
Sprint Telephony PCS, LP
201 Mission Street, Suite 1500
San Francisco, CA 94105
stephen.h.kukta@sprint.com

Susan Lipper, Sr. Mgr, Govt. Affairs
T-Mobile West LLC
1755 Creekside Oaks Dr., Ste 190
Sacramento, CA 95833

Re: Order to Preserve Evidence

Dear Communications Utility Representatives:

This directive affirms verbal communications CPUC staff may have had with some or all of you, to the effect that AT&T, AT&T Wireless, Frontier, Comcast Phone, Verizon Wireless, T-Mobile, and Sprint, and their affiliates (hereinafter the communications utilities) have an obligation to preserve all evidence with respect to the Northern California wildfires in Lake, Mendocino, Napa, Sonoma, and Solano Counties.¹

¹ These fires started overnight on October 8, 2017 and include the Atlas Fire, Patrick Fire, Nuns/Norrborn Fire, Pressley Fire, Adobe Fire, Tubbs Fire and Pocket Fire.

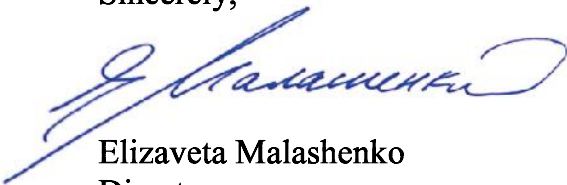
Pursuant to Public Utilities Code Sections 311, 314, 451, and 701, and consistent with General Order (GO) 95, Rule 19, the communications utilities must preserve any factual or physical evidence under their, or their agents, physical control, custody or possession related to the fires. This physical evidence includes all failed or damaged poles, conductors, pole attachments or other collocated equipment, and any other physical evidence from each fire event. The physical evidence must be cataloged and tagged in a manner that will identify where it came from so that SED staff may reconstruct the poles and associated equipment for analysis. The communications utilities shall inform SED staff prior to moving any physical evidence from its current location to a compliant storage facility. Additionally, the communications utilities should immediately inform the undersigned if any physical evidence has already been destroyed.

Factual evidence, including but not limited to internal and external communications, call logs, network performance monitoring records, emails, electronic (including emails) and non-electronic documents related to potential causes of the fires, vegetation management, maintenance and/or tree-trimming, and any other documents related to the wildfires and the resulting injuries, death, and destruction, must also be preserved.

The communications companies must inform all employees and contractors that they must preserve all such records.

Please contact me if you have any questions concerning this preservation order.

Sincerely,



Elizaveta Malashenko
Director
Safety and Enforcement Division

cc: President Michael Picker
Commissioner Carla Peterman
Commissioner Liane Randolph
Commissioner Cliff Rechtschaffen
Commissioner Martha Guzman Aceves
Timothy Sullivan, Executive Director
Arocles Aguilar, General Counsel
Helen Mickiewicz, Asst. General Counsel (telecommunications matters)
Cynthia Walker, Director, Communications Division
Christopher Witteman, Legal Division