



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Fones4All Corporation (U6338C),

Complainant,

vs.

Pacific Bell Telephone Company, d/b/a  
AT&T California (U1001C),

Defendant.

Case 07-12-030  
(Filed December 28, 2007)

And Related Matter.

Case 08-02-009

**ADMINISTRATIVE LAW JUDGE'S RULING  
SEEKING AN UPDATED STATUS REPORT AS TO THE  
BANKRUPTCY PROCEEDING INVOLVING FONES4ALL  
AND WHETHER THESE PROCEEDINGS MAY MOVE  
FORWARD OR BE DISMISSED**

These matters were initiated a number of years ago. On August 4, 2008, Fones4All Corporation (Fones4All) filed for protection in Federal Bankruptcy Court. By operation of law, Complaint (C.) 08-02-009 by Pacific Bell Telephone Company, doing business as AT&T California, was stayed. On November 4, 2008, Fones4All and AT&T California jointly moved the Commission to stay both above-captioned consolidated matters pending resolution of Fones4All's bankruptcy proceeding due to their interconnected nature.

On January 13, 2009, an Administrative Law Judge's ruling was issued noting the above, recognizing the stay of C.08-02-009 by operation of law and granting the stay of C.07-12-030 with which it was consolidated.

On July 25, 2011, a ruling was issued by the then-assigned Administrative Law Judge, noting the above and asking for a status report as to the bankruptcy proceeding and whether these matters are required to remain as open and active dockets on the Commission's calendar or can move forward or be dismissed, either as moot or without prejudice to a future filing, if appropriate.

On August 4, 2011, the Chapter 7 Trustee in Bankruptcy for Fones4All and Pacific Bell Telephone Company filed a joint response. That response indicated the bankruptcy proceeding was ongoing and the claims presented in the two proceedings remain "inextricably intertwined." The Joint Response set out the related background for these dockets and jointly requested that the Commission continue the stay of both proceedings. The Joint Response also noted that discovery cutoff and trial dates were to be addressed at a scheduling conference set before the bankruptcy judge for August 31, 2011.

The Commission has continued to maintain these matters as current active dockets, periodically issuing orders granting extensions to the time mandated by law for completion of proceedings such as these. This present ruling seeks to obtain the current status of the Fones4All bankruptcy proceeding, whether concluded or an anticipated date for conclusion, and whether these matters must continue to remain as open and active dockets on the Commission's calendar or can move forward or be dismissed, either as moot or without prejudice to a future refiling, if appropriate.

As noted previously, as a result of legal requirements regarding statutory times for completion of proceedings, this inquiry is not just academic. In order to ensure that statutory requirements are met, the calendar for these proceedings must be monitored and periodic extension orders granted. The Commission wishes to determine if any changes since July 2011 allow these matters to be concluded and/or closed.

Therefore, **IT IS RULED** that that within 10 days the parties to these consolidated proceedings shall individually or jointly respond to this ruling and advise as to the status of Fones4All Corporation's bankruptcy proceeding and explain why these matters cannot be either moved forward or dismissed

Dated July 19, 2012 at San Francisco, California.

/s/ RICHARD W. CLARK  
Richard W. Clark  
Administrative Law Judge