

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



FILED
04/01/20
04:00 PM

In the Matter of the Joint Application of Sprint Communications Company L.P. (U5112C) and T-Mobile USA, Inc., a Delaware Corporation for Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a).

Application 18-07-011

And Related Matters.

Application 18-07-012

ASSIGNED COMMISSIONER'S RULING

This ruling is issued in response to the letter dated March 31, 2020, from G. Michael Sievert, President and Chief Operating Officer of T-Mobile that informed us that Joint Applicants T-Mobile and Sprint intended to close their “merger transaction tomorrow morning, April 1, 2020,” prior to the CPUC’s vote on the proposed merger application decision issued on March 11, 2020.

Public Utilities Code Section 854(a) states in relevant part that “[n]o person or corporation, whether or not organized under the laws of this state, shall merge, acquire, or control ... either directly or indirectly, any public utility organized and doing business in this state without first securing authorization to do so from the commission.” Both Joint Applicants, T-Mobile and Sprint, have California subsidiaries that are public utility telephone corporations under state law, and subject to the jurisdiction of this agency.¹ The merger of the companies’ operations in California is therefore subject to CPUC

¹ See e.g., Decision (D.) 01-07-030, Appendix A, Interim Rules Governing Non-Communications Related Charges on Telephone Bills, at 1, 6.

approval. Accordingly, Joint Applicants shall not begin merger of their California operations until *after* the CPUC issues a final decision on the pending applications.²

Dated April 1, 2020, at San Francisco, California.

/s/ *CLIFFORD RECHTSCHAFFEN*

Clifford Rechtschaffen
Commissioner

² The Motion of Joint Applicants to Withdraw Wireline Application, filed on March 30, 2020, will be addressed in the final decision in this docket.