

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



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Application of Pacific Bell Telephone Company
d/b/a AT&T California (U 1001 C) To Relinquish
Its Eligible Telecommunications Carrier
Designation.

A.23-03-002
(Filed March 3, 2023)

**SUMMARY OF PARTY POSITIONS FOR PACIFIC BELL TELEPHONE
COMPANY D/B/A AT&T CALIFORNIA (U 1001 C) AND INTERVENORS**

Isabelle Salgado
Nelsonya Causby
AT&T Services, Inc.
430 Bush Street, Sixth Floor
San Francisco, CA 94108
Tel: (415) 268-9493
Email: nelsonya.causby@att.com

Maureen R. Jeffreys
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001
Tel: (202) 942-6608
Email: maureen.jeffreys@arnoldporter.com

C. Frederick Beckner III
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
Tel: (202) 736-8874
Email: rbeckner@sidley.com

Attorneys for AT&T California

January 16, 2024

In compliance with Section 4 and Ruling 2 of the Administrative Law Judge’s Ruling Noticing Public Participation Hearings and Additional Instructions for Applicant dated December 4, 2023 (“Ruling”), Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C) (“AT&T California”) hereby files and serves the attached summary of the party positions in this proceeding. As required by the Ruling, AT&T California made multiple efforts to organize meet and confer meetings to discuss a one-page (double-sided) summary of the parties’ respective positions on the issues that are in the scope of this proceeding and provided notice to all parties of the meeting. On January 5, 2024, AT&T California shared its draft one-page summary with The Utility Reform Network (“TURN”) and Center for Accessible Technology (“CforAT”) (collectively, “Intervenors”). On January 12, 2024, AT&T California held a meet and confer, attended by Intervenors.

On the morning of January 16, 2024, the deadline for filing, Intervenors first shared their one-page summary with AT&T California. Upon review, AT&T California believes that Intervenors’ summary includes statements that would mislead customers—especially given that these statements may be used at public participation hearings that may include customers who will not be affected by AT&T California’s relinquishment of its ETC designation. AT&T California attempted to schedule a meet and confer to discuss its concerns with Intervenors’ summary today, but, given scheduling difficulties this afternoon, Intervenors suggested that AT&T California propose edits for their consideration, which AT&T California did. Intervenors did not accept AT&T California’s proposed corrections to the following statements:

1. “If AT&T wins in this proceeding, *low-income households may expect a 200% increase, or more*, in their monthly phone bill.”
2. “AT&T would no longer offer low-cost service.”

3. “AT&T will be able to decide whether it wants you to have telephone service.”
4. “AT&T has stated that it intends to shut down its telephone network. Additionally, AT&T could terminate your service, even if you are not a LifeLine customer.”

AT&T California believes these statements are unsubstantiated, factually incorrect, and misleading. There is no basis for suggesting in Statement 1 that there may be a 200 percent increase in subscribers’ monthly bills. In addition, this Application relates solely to relinquishment of AT&T California’s ETC designation. It does not seek any authority to decommission any legacy TDM network facilities in California, and the Commission’s resolution of the Application will not provide any such authority. Thus, Statements 2-4 are too sweeping because they are not limited to federal Lifeline-eligible customers. Without revisions, these statements will mislead customers receiving other types of service (including mobile wireless service).

As directed in the Ruling, the attachment hereto includes the summaries from AT&T California and Intervenors.

[Signature page follows]

Dated: January 16, 2024

Respectfully submitted,

AT&T California

/s/ Nelsonya Causby

Isabelle Salgado

Nelsonya Causby

AT&T Services, Inc.

430 Bush Street, Sixth Floor

San Francisco, CA 94108

Tel: (415) 268-9493

Email: nelsonya.causby@att.com

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Washington, D.C. 20001

Tel: (202) 942-6608

Email: maureen.jeffreys@arnoldporter.com

C. Frederick Beckner III

Sidley Austin LLP

1501 K Street, N.W.

Washington, D.C. 20005

Tel: (202) 736-8874

Email: rbeckner@sidley.com

Attorneys for AT&T California

SUMMARY OF PARTY POSITIONS

A.23-03-002

AT&T California's ETC Application Summary

AT&T California has filed an application with the Commission to surrender its Eligible Telecommunications Carrier ("ETC") designation. As an ETC, AT&T California receives federal support to offer Lifeline voice service. The federal government plans to end support for Lifeline plans without broadband, and AT&T California does not offer Lifeline plans with broadband. Thus, AT&T California will no longer need its ETC designation.

Federal law allows AT&T California to surrender its ETC designation for each area served by another ETC and directs the California Public Utilities Commission to require the remaining ETC(s) to serve AT&T California's Lifeline customers. AT&T California's application has identified other ETCs available throughout AT&T California's service area. That means AT&T California's Lifeline customers will continue to have options for low-cost Lifeline service. These alternatives include service from wireless carriers like Assurance, Boomerang, and TracFone and from cable companies like Cox and Time Warner.

There is a clear legal test under federal law for this process. Many other companies have used the same legal test to relinquish their ETC status in California. AT&T California has shown that it meets the test under federal law, which means the California Public Utilities Commission must grant approval.

Permitting AT&T California to give up its ETC designation will not harm consumers. AT&T California's Lifeline subscribers have been sharply decreasing for many years. Customers now overwhelmingly choose Lifeline service from mobile wireless companies instead of Lifeline through traditional landline phone service from AT&T California. AT&T California's remaining federal Lifeline customers will be able to choose federal Lifeline service from the other ETCs serving AT&T California's service area. If customers prefer to remain with AT&T California, they will be able to continue receiving state LifeLine service (which does not depend on ETC status) from AT&T, without the federal benefit. AT&T California will continue to offer basic telephone service in all of its service area unless and until it separately obtains all necessary permission to stop, so no customer will lose service if the Commission approves AT&T California's application.

CONSUMERS* OPPOSE AT&T'S ATTEMPTS TO STOP SERVING LOW-INCOME HOUSEHOLDS

WHAT IS HAPPENING?

- Currently, AT&T must provide service to every reasonable request for service in its statewide service territory. AT&T must also offer federal and California LifeLine throughout its service territory to make services more affordable for low-income households.
- AT&T filed two applications at the CPUC asking to be relieved of these service requirements.

WHAT IS AT&T ATTEMPTING TO DO TO YOUR PHONE SERVICE?

Federal Lifeline is a low-income program that helps eligible households pay for home or cell phone service. Currently, AT&T offers federal Lifeline service throughout its entire California service territory. AT&T wants to stop offering federal Lifeline service. If AT&T wins in this proceeding, *low-income households may expect a 200% increase, or more*, in their monthly phone bill.

WHY DO CONSUMERS OPPOSE AT&T'S EFFORTS?

- For some Californians, landline services are the only safe, affordable, and reliable phone service. In certain areas, AT&T is the only available landline service provider.
- Landlines can be more reliable than cell phones for emergencies and disasters, especially during a power outage.
- Many AT&T customers on Lifeline services do not have another landline option.

IF THE CPUC AGREES WITH AT&T, WHAT WILL HAPPEN TO YOUR SERVICE?

- AT&T would no longer offer low-cost service.
- AT&T will be able to decide whether it wants you to have telephone service.
- AT&T has stated that it intends to shut down its landline telephone network. Additionally, AT&T could terminate your service, even if you are not a LifeLine customer.

See if your community will be affected:

- A list of affected cities is available here: <https://rb.gy/8siy53>.
- A list of affected Tribal areas is available here: <https://rb.gy/5j1u0w>.

WHAT CAN YOU DO ABOUT IT?

- Speak up at a Public Participation Hearing. Share with CPUC leadership how AT&T's plans will affect you.
- Learn about and get involved in consumer advocates' efforts to oppose AT&T:
<https://www.turn.org/colr>

*Center for Accessible Technology and The Utility Reform Network.