



STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED

06/20/25

03:19 PM

A2303003

June 20, 2025

Agenda ID #23589
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 23-03-003:

This is the proposed decision of Administrative Law Judge Thomas J. Glegola. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's **7/24/2025** Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at icompcoordinator@cpuc.ca.gov.

/s/ MICHELLE COOKE

Michelle Cooke

Chief Administrative Law Judge

MLC: smt

Attachment

Decision **PROPOSED DECISION OF ALJ GLEGOLA** (Mailed 6/20/2025)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Bell Telephone Company
d/b/a/ AT&T California (U1001C) for Targeted
Relief from its Carrier of Last Resort Obligation
and Certain Associated Tariff Obligations.

Application 23-03-003
(Filed March 3, 2023)

**DECISION GRANTING COMPENSATION TO CENTER FOR
ACCESSIBLE TECHNOLOGY FOR SUBSTANTIAL
CONTRIBUTION TO DECISION 24-06-024**

Intervenor: CENTER FOR ACCESSIBLE TECHNOLOGY (CforAT)	For contribution to Decision D.24-06-024
Claimed: \$105,800.00	Awarded: \$104,457.00
Assigned Commissioner: John Reynolds	Assigned ALJ: Thomas J. Glegola

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	Decision (D.) 24-06-024 (the Final Decision) denied, with prejudice, AT&T California's application to be relieved of its status as a Carrier of Last Resort (COLR). The Final Decision also set out the Commission's intent to initiate an OIR to consider whether to revise its COLR Rules.
--	--

B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812¹:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of prehearing conference:	8/3/2023	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	8/31/2023	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b)) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	CforAT's most recent finding of eligible customer status was issued in Rulemaking (R.) 22-11-013. When this proceeding was initiated in March of 2023, the then-current finding had been issued in R.21-06-017.	Noted
6. Date of ALJ ruling:	For R.22-11-013: 3/15/24 For R.21-06-017: 11/9/21	For R.22-11-013: Verified For R.21-06-017: it should be 11/8/21
7. Based on another CPUC determination (specify):	See also Comment 1, below.	Noted
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes

¹ All statutory references are to California Public Utilities Code unless indicated otherwise.

	Intervenor	CPUC Verification
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	CforAT’s most recent finding of significant financial hardship was issued in R.22-11-013. When this proceeding was initiated in March of 2023, the then-current finding had been issued in R.21-06-017.	Verified
10. Date of ALJ ruling:	For R.22-11-013: 3/15/24 For R.21-06-017: 11/9/21	For R.22-11-013: Verified For R.21-06-017: it should be 11/8/21
11. Based on another CPUC determination (specify):	See also Comment 1, below.	Noted
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.24-06-24	Verified
14. Date of issuance of Final Order or Decision:	June 25, 2024	Verified
15. File date of compensation request:	August 23, 2024	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
	The Commission’s most recent ruling on CforAT’s eligible customer status and significant financial hardship was issued in R.22-11-013 (DER Issues) on March 15, 2024, which followed a prior decision issued on June 14, 2023 in the same proceeding. In between these two rulings, CforAT provided	Noted

#	Intervenor's Comment(s)	CPUC Discussion
	<p>supplemental information in accordance with a request from the Commission.</p> <p>The Commission's previous ruling on CforAT's eligible customer status and significant financial hardship was issued in R.21-06-017 (High DER) on Nov. 9, 2021.</p> <p>The commencement date of this proceeding fell between Nov. 9, 2022 (the expiration date of the finding in R.21-06-017) and June 14, 2023 (the commencement date of the first finding issued in R.22-11-013). Accordingly, CforAT sets out its justification for a finding of eligible customer status and significant financial hardship here.</p> <p>CforAT has repeatedly been found by the Commission to be eligible for compensation based on findings of significant financial hardship regarding our efforts to represent the interests of utility customers with disabilities and/or medical needs. CforAT has no source of funding other than the intervenor compensation program to support its advocacy at the Commission, and the individual members of the population that we represent, while benefiting from our advocacy at the Commission, cannot afford to pay for representation. Moreover, the individual benefit for each customer within our constituency is small in comparison with the costs of effective participation.</p> <p>At all times in our work before the Commission, CforAT represents our constituency of utility customers with disabilities (including many low-income customers) for no charge to the community. Our constituency is highly dependent on reliable and affordable access to utility services in order to maintain their health and safety and to support their ability to live independently in the community. CforAT relies on the intervenor compensation program to sustain our ability to represent this</p>	

#	Intervenor's Comment(s)	CPUC Discussion
	<p>unique constituency before the Commission. CforAT has no other source of support for the work we do to represent these vulnerable consumers before the Commission, and few people with disabilities have the resources or awareness of utility issues to consider representation through private counsel.</p> <p>While CforAT's work provides value to our constituency, the value for each individual customer is small compared to the cost of representation; often this value comes in the form of improved accessibility of utility services and communications (and thus improved customer understanding of programs and services available) or improved reliability of service rather than in the form of monetary benefit. This interest cannot easily be expressed as an economic interest, but it remains crucial to a vulnerable customer group. If the intervenor compensation program were not available, CforAT would be unable to continue this work.</p>	

PART II: SUBSTANTIAL CONTRIBUTION

- A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>General:</p> <p>On March 3, 2023, AT&T California filed an Application initiating this proceeding and requesting that the Commission relieve AT&T California of its Carrier of Last Resort (COLR) status, which obliges AT&T California to serve any customer within its service territory upon request. CforAT and The Utility Reform Network (TURN) jointly filed a timely protest on April 6, 2023. The Utility Reform Network and Center for Accessible Technology Protest to the Application of Pacific Bell Telephone Company D/B/A AT&T California (U1001C) for Targeted Relief from its Carrier of Last Resort Obligation and Certain Associated Tariff Obligations (Apr. 6, 2023) (CforAT/TURN Protest to Application)</p> <p>On May 3, 2023, the assigned Administrative Law Judge (ALJ) issued a ruling ordering AT&T California to amend its application due to substantial incompleteness. AT&T California filed an Amended Application on May 3, 2023. In response, CforAT and TURN again filed a timely protest. The Utility Reform Network and</p>		Noted

Center for Accessible Technology Protest to the Amended Application of Pacific Bell Telephone Company D/B/A AT&T California (U 1001 C) for Targeted Relief from its Carrier of Last Resort Obligation and Certain Associated Tariff Obligations (June 30, 2023).

On June 30, 2023, the Public Advocates Office (Cal Advocates) filed a Motion to Dismiss the Amended Application, which included many of the same arguments that CforAT and TURN included in their protests.

In January 2024, AT&T California submitted, and intervenors provided feedback on, notices to be sent to potentially affected customers.

In February and March 2024, the Commission held a number of public participation hearings (PPHs) on the issues in this proceeding. Per the ALJ's instructions, intervenors prepared a one page "fact sheet" setting out the intervenor's positions. This fact sheet was distributed to attendees at the PPHs.

In February of 2024, the assigned ALJ notified potential carriers of last resort about AT&T California's Applications and the opportunity to apply to replace AT&T California as a COLR. The deadline for a

<p>potential COLR to provide the ALJ with notice of its intent to replace AT&T California was April 30, 2024. No provider expressed interest in becoming a replacement COLR.</p> <p>On May 10, 2024, the ALJ issued a Proposed Decision dismissing AT&T California's Application with prejudice and notifying the parties of the Commission's intent to commence a proceeding to consider whether revisions to the COLR rules are necessary. CforAT filed both opening and reply comments on the PD.</p> <p>The Commission voted to approve the PD and denied AT&T California's Application with prejudice in D.24-06-024 on June 20, 2024.</p> <p>To the extent that the Commission finds that any of CforAT's claimed time does not constitute a substantial contribution to the Final Decision issued in this proceeding, we respectfully request that we be allowed to file a claim for that time in the successor proceeding, R.24-06-012. This is the Rulemaking anticipated in the Final Decision in which the Commission is considering whether to revise its COLR rules.</p>		
<p>1. The Proper Interpretation of the Commission's Carrier of Last Resort Requirements:</p>		

<p>The Commission’s Universal Service Rules address when, and under what circumstances, a Carrier of Last Resort (i.e, a carrier selected by the Commission that must offer service to any customer in its service territory that requests it) may relinquish its COLR status. The central issue in the proceeding was the interpretation of those rules.</p> <p>AT&T California argued that under the rules, the Commission could simply eliminate AT&T California’s COLR status.</p> <p>Intervenors, including CforAT, argued that under the Rules, a COLR could not relinquish its COLR status unless and until the Commission had identified a replacement COLR. CforAT/TURN Protest to Application at pp. 7-9; CforAT/TURN Protest to Amended Application at pp. 7-8.</p>	<p>The Commission held that AT&T could not relinquish its COLR status unless and until the Commission had identified a replacement COLR. “The accurate and more consistent reading of [Universal Service Rule] 6.D.7 is the last COLR must continue its obligations until the application is granted, because another carrier has entered the market and taken on COLR obligations.” D.24-06-024 at p. 13.</p>	Verified
<p>CforAT argued that the purpose of the COLR requirements is to “ensure that all Californians receive reliable, affordable, essential voice service.” CforAT/TURN CforAT/TURN Protest to Application at p. 1; CforAT/TURN Protest to Amended Application at p. 1.</p>	<p>The Commission noted that the COLR concept and requirements are “important to universal service policy because [they ensure] that customers receive service.” D.24-06-024 at pp. 5-6, citing D.96-10-066; D.24-06-024 at p. 15.</p>	Noted
<p>2. The Sufficiency of AT&T California’s Application</p>	<p>“The Commission’s Universal Service Rules, adopted in D.96-10-066 and affirmed in D.12-12-038, require the</p>	Verified

<p>CforAT argued that AT&T California’s Application did not meet the Commission’s Universal Service Rules and standards because if the Commission granted the Application, there was no guarantee that every customer in AT&T California’s service territory would be able to obtain replacement service.</p> <p>CforAT/TURN Protest to Application at pp. 8-9; CforAT/TURN Protest to Amended Application at p. 8.</p>	<p>presence of another COLR or a replacement COLR to grant a COLR withdrawal application.” D. 24-06-024 at p. 25, Conclusion of Law 1.</p>	
<p>CforAT argued that AT&T California’s argument that robust competition justified relieving AT&T California of its COLR obligation was flawed, noting that AT&T California “carefully avoids claiming that competition is sufficient to guarantee that all customers are able to receive service.” CforAT/TURN Joint Protest to Application at p. 4; CforAT/TURN Joint Protest to Amended Application at p. 9.</p>	<p>While D.24-06-024 does not directly address this argument, the Decision notes AT&T’s claim that “once competition takes root, COLR status is voluntary.” D.24-06-024 at p. 9. The Decision’s ultimate finding—that the grant of a COLR withdrawal application requires either the presence of another COLR or a replacement COLR—necessarily rejects AT&T California’s competition argument.</p>	Noted
<p>CforAT argued that AT&T California’s argument would eliminate the guarantee that “no matter what the circumstances, all consumers can obtain service from a carrier <i>that is required to provide that service.</i>” CforAT/TURN Joint Protest to Application at pp. 8-9 (emphasis in original); CforAT/TURN Joint Protest to Amended Application at p.8 (emphasis in original).</p>	<p>D.24-06-024 noted that AT&T California’s interpretation would “would render the COLR and Universal Service Rules meaningless” (D.24-06-024 at p. 12), because it would contradict the Commission’s intent that “there is a public utility which is obligated to serve all the customers that request service in its service area.” D.24-06-024 at p. 15.</p>	Noted

CforAT further argued that AT&T California's Application, if granted, would result in the <i>de facto</i> elimination of universal service. CforAT/TURN Joint Protest to Application at pp. 9-10; CforAT/TURN Joint Protest to Amended Application at pp. 10-11.		
CforAT argued that the Commission should deny the Application. CforAT/TURN Joint Protest to Application at p. 23; CforAT/TURN Joint Protest to Amended Application at p. 28.	"The Application of Pacific Bell Telephone Company d/b/a/ AT&T California (U1001C) for Targeted Relief from its Carrier of Last Resort Obligation and Certain Associated Tariff Obligations is dismissed, with prejudice." D.24-06-024 at p. 26, Ordering Paragraph 1.	Noted
3. Alternative COLRs		Noted
CforAT argued that there were no alternative COLRs, or providers who have sought to be COLRs, in AT&T California's service territory. CforAT/TURN Joint Protest to Application at p. 11; CforAT/TURN Joint Protest to Amended Application at p. 12.	"AT&T has already indicated that there is not another COLR in AT&T's service territory. Further, no carrier eligible to replace AT&T as a COLR volunteered to do so." D.24-06-024 at p. 18.	Noted
CforAT argued that existing providers in AT&T California's service territory were not required to provide service to everyone in their service territory, noting that "[i]f alternative carriers in the area are not COLRs, customers in the area are not guaranteed to be able to obtain service from them." CforAT/TURN Joint Protest to Application at p. 4; CforAT/TURN Joint Protest to Amended Application at p. 9.		Noted

<p>4. Need for further investigation.</p> <p>CforAT argued that the Commission should thoroughly investigate the public interest impacts of the Application, including impacts on Environmental and Social Justice (ESJ) communities. CforAT/TURN Joint Protest to Application at pp. 11-12, 17-18; CforAT/TURN Joint Protest to Amended Application at pp. 12-13, 21.</p>	<p>While D.24-06-024 does not address the issue in this proceeding, it does state that “the Commission intends to initiate a rulemaking regarding its COLR rules.” D.24-06-024 at p. 22. On June 20, 2024, the Commission initiated R.24-06-012, Order Instituting Rulemaking Proceeding to Consider Changes to the Commission’s Carrier of Last Resort Rules.</p>	<p>Verified</p>
<p>5. Technological Neutrality</p>		<p>Verified</p>
<p>CforAT challenged AT&T California’s argument that the COLR rules forced AT&T California to maintain its legacy copper network, noting that the COLR rules did not prohibit AT&T California from upgrading its COLR service to wireless or fiber technology. CforAT/TURN Joint Protest to Application at pp. 13-14; CforAT/TURN Joint Protest to Amended Application at pp. 14-15.</p>	<p>“The Commission does not have rules preventing AT&T from retiring copper facilities. Furthermore, the Commission does not have rules preventing AT&T from investing in fiber or other facilities/technologies to improve its network.” D.24-06-024 at p. 23.</p>	<p>Noted</p>
<p>CforAT argued that AT&T California’s claims that it was limited in its ability to invest in upgrades to its network because of an obligation to maintain its legacy copper network were spurious, noting AT&T’s record of investment and stock buybacks. CforAT/TURN Joint Protest to Application at p. 7, note 21; CforAT/TURN Joint</p>	<p>D.24-06-024 notes that “AT&T reported that in Q2-4 2023 it invested over \$150 million on fiber deployment projects in California.”</p>	<p>Noted</p>

Protest to Amended Application at p. 16.		
<p>6. Relevant Legislation</p> <p>CforAT noted that the Application’s arguments mirrored AT&T’s past arguments in favor of AB 2395 (2015-2016 Reg. Sess.), an AT&T-backed bill that sought relief similar to the relief AT&T California sought in this proceeding, and further noted that the Legislature declined to pass that bill. CforAT/TURN Joint Protest to Application at p. 7, note 21; CforAT/TURN Joint Protest to Amended Application at pp. 5-6, note 20.</p>	<p>“Further, during the 2015-2016 session, the Legislature considered legislation, AB 2395, that, if passed into law, would have changed existing law to allow for the relief AT&T seeks in its Application if these purported alternatives met certain requirements. That legislation did not pass. In essence, AT&T seeks to effectuate the relevant portion of AB 2395, while asking the Commission to overlook that AB 2395 never became law.” D.24-06-024 (citations omitted).</p>	Noted
<p>8. PPH One Page Summary</p> <p>In A.23-03-002, an Application by AT&T California to relinquish its ETC status, the assigned ALJ consolidated the public participation hearings for that proceeding with this one. Administrative Law Judge’s Ruling Noticing Public Participation Hearings (PPH Ruling) at p. 2 (Dec. 4, 2023), <i>Application of Pacific Bell Telephone Company D/B/A AT&T California (U1001C) to Relinquish its Eligible Telecommunications Carrier Designation</i>, A.23-03-002 (Mar. 3, 2023). In the same Ruling, the ALJ directed parties in this proceeding to “develop a one-page (double-sided) summary of their positions that uses easily understand [sic] terms, without</p>	<p>Summary of Party Positions for Pacific Bell Company D/B/A AT&T California (U 1001 C) and Intervenors at Attachment, p. 2 (Jan 16, 2024).</p>	Noted

<p>jargon, to explain their positions on the issues that are in the scope of this proceeding, which the ALJ may read or otherwise make available at the PPHs.” PPH Ruling at p. 4.</p> <p>The summary of positions was used at the public participation hearings and explained CforAT’s (and other intervenors) positions, specifically that AT&T California was seeking to be relieved of its COLR obligation, that some customers might not be able to obtain phone service, and that customers with disabilities might not be able to obtain service and that some medical devices would no longer function. Summary of Party Positions for Pacific Bell Company D/B/A AT&T California (U 1001 C) and Intervenors at Attachment, p. 2 (Jan 16, 2024).</p>		
--	--	--

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²	Yes	Yes
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes
c. If so, provide name of other parties:		Verified

² The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²	Yes	Yes
Cal Advocates and TURN. Additionally, CforAT's positions overlapped to some extent with the positions of the County of San Mateo, Tahoe Energy Ratepayers Group, Catalina Island Connect, the County of Santa Clara, and Rural County Representatives of California.		
d. Intervenor's claim of non-duplication: <p>Throughout the proceeding, CforAT worked diligently to avoid duplicating efforts of other parties, including by direct coordination and preparation of joint filings where appropriate and by maintaining focus on those areas of particular concern to our unique constituency of utility customers with disabilities and medical needs. Where another party had clear focus and/or expertise on an issue, CforAT minimized resources used to address that issue; for example, with regard to Cal Advocates' motion to dismiss, CforAT deferred to Cal Advocates' efforts and minimized our input, while agreeing and noting in our protest that the application was legally inadequate and should not be granted. Similarly, CforAT largely deferred to Cal Advocates and TURN regarding the language used to inform participants at the Commission's public participation hearings (PPHs) about the intervenors' positions.</p> <p>CforAT notes that in recent decisions on intervenor compensation claims, the Commission has reprimanded parties for failing to sufficiently identify the individual efforts of parties who coordinate or file jointly. This apparently new requirement is troubling, not only because it is a significant shift from the Commission's prior requirements without notice to intervenors, but also because it fails to acknowledge the realities of both the mechanics of legal research and writing and the collaborative process.</p> <p>For example, the Commission has, on several occasions, reduced awards because intervenors filing jointly failed to sufficiently identify which sections of a document each intervenor drafted. This appears to be based on the assumption that each section of a document is drafted by only one intervenor, which is not the case. For example, for CforAT and TURN jointly filed protests to both the Application and the Amended Application. For each of these documents, CforAT was responsible for writing the majority of the initial drafts. However, CforAT relied on extensive research by TURN in preparing those drafts. Once a draft was</p>		Noted

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?²	Yes	Yes
<p>complete, CforAT and TURN engaged in a further, iterative process of exchanging and updating the original drafts. As a result, in successive drafts, CforAT and TURN each added additional research, analysis and language, raised issues or points of contention, and otherwise ensured that the final draft met CforAT and TURN's mutual standards. As a result, it would be disingenuous for CforAT to claim that it was responsible, or "took the lead" in, drafting any particular section of CforAT and TURN's joint filings, as both CforAT and TURN were equally responsible for the final quality of the documents. CforAT and TURN have engaged in this type of collaborative process for over a decade, and we can say with confidence that CforAT's collaboration with TURN minimizes duplication of effort while producing work of high quality that appropriately and efficiently represents the interests of not only both parties, but also consumers.</p> <p>Even in areas where CforAT's overall position was similar to that of other parties, including in our collaborative work with TURN, CforAT's focus on our specific constituency and their needs ensured that we provided a unique perspective and focus to ensure that the Commission directed appropriate attention to a vulnerable group of customers with concerns about communications needs that are specific to their situation.</p>		

PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

	CPUC Discussion
<p>a. Intervenor's claim of cost reasonableness:</p> <p>The importance of the issues under consideration in this proceeding is extremely high for customers, and even greater for customer groups with specific challenges surrounding their relationship with communications services like CforAT's constituency of customers with disabilities and medical needs. For this reason, and to ensure that the needs of this unique constituency were addressed in all aspects of this proceeding, it is</p>	Noted

	CPUC Discussion
<p>appropriate that CforAT expended substantial resources in participation, including active work in support of the decision addressed in this request for compensation.</p> <p>While it is difficult to attribute a specific dollar value to any of CforAT's contributions, the overall input of CforAT has been in support for ensuring that our constituency is not inappropriately burdened by a lack of access to communications services, that their needs are regularly given consideration, and that they are able to access communications services, including during emergency situations. In this context, the support provided by CforAT for the Commission's efforts to ensure that customers benefit from the Commission's COLR requirements exceeds the amount of compensation we are requesting.</p> <p>Additionally, CforAT notes that it exercised reasonable billing judgment in preparing this claim, i.e., made the decision to exclude certain hours spent on work that was arguably compensable. This includes, for example, time spent reviewing input from legislators, municipal leaders, and organizations stating their support or opposition to the Application, coordinating with and providing assistance to other intervenors (e.g. Media Alliance) with Commission processes and procedures, and discussions with other intervenors (in both this proceeding and others) about the Commission's recent use of stricter requirements in reviewing intervenor compensation claims.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>As noted above, CforAT's extensive work in this docket is reasonable based on the importance of the issues under consideration and their potential impact on our constituency of utility customers with disabilities and medical needs, particularly given that this group of customers is both disproportionately low-income and highly reliant on dependable and affordable access to communications services.</p> <p>CforAT's work was led and primarily conducted by Legal Counsel Paul Goodman, who has substantial experience in addressing issues the availability, affordability, and accessibility, of communications services. As appropriate, Mr. Goodman delegated specific tasks, including drafting of specific issues in the context of various filings, to CforAT's Legal Fellow Rachel Sweetnam. While Mr. Goodman appropriately supervised and reviewed Ms. Sweetnam's work, this type of delegation is appropriate and efficient, particularly in light of the substantial differences in the hourly rates for Ms. Sweetnam and Mr. Goodman.</p>	Noted

	CPUC Discussion
<p>Additionally, both Mr. Goodman and Ms. Sweetnam's work was supervised by Melissa Kasnitz, CforAT's Legal Director, who has greater expertise regarding the communications needs of people with disabilities and medical needs. Ms. Kasnitz's supervision of Mr. Goodman and Ms. Sweetnam was appropriate and efficient.</p> <p>For the limited occasions where more than one attorney attended the same meeting or workshop, this was to support the ability of each attorney to focus on those issues where they had primary responsibility for drafting. Additionally, CforAT ensured that Ms. Sweetnam, a more junior attorney, was not relegated to observing or taking notes but instead had the opportunity to engage in advocacy and hone her skills in front of the Commission during select portions of the proceeding. These hours were reasonable in light of the benefit of developing future Commission practitioners and encouraging the diversity of attorneys appearing before the Commission.</p> <p>These practices improved efficiency overall and were reasonable, particularly in the context where AT&T California, and its affiliates, often had multiple representatives present to advance their concerns. For example, the service list in this proceeding includes 18 different AT&T representatives, including eight AT&T attorneys who actively participated in the proceeding, as well as AT&T California's president, and two assistant vice presidents.</p> <p>Overall, CforAT was effective and efficient in our participation in the various portions of this proceeding, and our work remained focused on the needs of our unique constituency. To the extent that our work overlapped to some degree with that of other parties, this reflects the shared effort of multiple stakeholders to provide vital input on the important issues under consideration. CforAT's contributions should not be reduced on this basis.</p>	
<p>c. Allocation of hours by issue:</p> <p style="text-align: center;">2023</p> <p>Hours for Paul Goodman, 2023: (Total: 102.2)</p> <p>Application: 29.5 hours, (28.9%)</p> <p>The issue area "Application" includes time spent on addressing the legal and practical issues related to AT&T California's initial Application. CforAT provides the following estimate of the overall breakdown of time allocated to the Application category:</p>	Noted

	CPUC Discussion
<ul style="list-style-type: none"> • The Proper Interpretation of the Commission’s Carrier of Last Resort Requirements—30%. • The Sufficiency of AT&T California’s Application—35% • Alternative COLRs—10% • Need for further investigation—5% • Technological Neutrality—15% • Relevant Legislation—5% <p>Community Input: 0.6 hours (0.6%)</p> <p>The “Community Input” category includes time spent on meetings with communities and community members potentially impacted by the Application to learn their concerns and proposed solutions, which were integrated into CforAT’s filings.</p> <p>Coordination: 8.7 hours (8.5%)</p> <p>The issue area “Coordination” includes time spent conferring with other parties, coordinating joint filings, and otherwise avoiding duplication of effort. The issue area “Coordination” also covers time spent on tracking the relationship between this proceeding and other proceedings, including A.23-03-002 (AT&T ETC proceeding). CforAT recorded its time equally for each proceeding being discussed; for example, if a conversation involved the interplay between this proceeding and the ETC proceeding, CforAT only recorded half of the time spent in the conversation as time for this proceeding.</p> <p>CforAT notes that a substantial amount of the hours spent on coordination were necessary to strategize responses to AT&T California’s constant, and often duplicative, requests to meet and confer and its other procedural demands.</p> <p>Procedural: 4.7 hours (4.6%)</p> <p>The issue area “Procedural” includes time spent on matters that do not fall under other issue categories, including procedural matters such as scheduling.</p> <p>Amended Application: 45.8 hours (44.8%)</p>	

	CPUC Discussion
<p>The issue area “Amended Application” includes time spent on addressing the legal and practical issues related to AT&T California’s initial Application. CforAT provides the following estimate of the overall breakdown of time allocated to the Application category:</p> <ul style="list-style-type: none"> • The Proper Interpretation of the Commission’s Carrier of Last Resort Requirements—20%. • The Sufficiency of AT&T California’s Application—50% • Alternative COLRs—10% • Need for further investigation—10% • Technological Neutrality—10% <p>It should be noted that these estimates differ from the estimates in the “Application” issue area, above, because CforAT and TURN’s protest to the Amended Application used language from CforAT and TURN’s protest to the original Application. The hours claimed in this issue area consist of time further researching issues, further developing arguments in the original Application, and responding to new claims in the Amended Application.</p> <p>PHC: 11.2 hours (11.0%)</p> <p>The issue area “PHC” includes time spent preparing for and attending the pre-hearing conference.</p> <p>Discovery: 1.7 hours (1.7%)</p> <p>The issue area “Discovery” includes time spent on data requests, including meeting and conferring regarding those requests.</p> <p>Hours for Melissa Kasnitz, 2023: (Total: 10.2)</p> <p>Application: 3.1 hours (30.1%)</p> <p>Coordination: 0.2 hours (2.0%)</p> <p>Procedural: 0.8 hours (7.8%)</p> <p>Amended Application: 5.7 hours (55.9%)</p> <p>PHC: 0.4 hours (3.9%)</p>	

	CPUC Discussion
<p>Hours for Rachel Sweetnam, 2023: (Total: 0.6)</p> <p>Amended Application: 0.6 hours (100%)</p> <p style="text-align: center;">2024</p> <p>Hours for Paul Goodman, 2024: (Total: 38.8)</p> <p>Coordination: 5.6 hours (14.4%)</p> <p>Procedural: 0.2 hours (0.5%)</p> <p>Amended Application: 6.2 hours (16.0%)</p> <p>Notices: 5.1 hours (13.1%)</p> <p>The issue area “Notices” includes time spent reviewing AT&T California’s notices to customers and communities, and time spent drafting and reviewing the one-page document used at the public participation hearings.</p> <p>Discovery: 9 hours (23.2%)</p> <p>Status Conference: 1.5 hours (3.9%)</p> <p>The issue area “Status Conference” includes time spent preparing for and attending the January 10, 2024 status conference.</p> <p>PD: 11.2 hours (28.9%)</p> <p>The issue area “PD” includes time spent drafting opening and reply comments on the proposed decision and reviewing the opening and reply comments of other parties, and scheduling and attending ex parte meetings with the Commission.</p> <p>Hours for Melissa Kasnitz, 2024: (Total: 7.7)</p> <p>Coordination: 1.1 hours (14.3%)</p>	

	CPUC Discussion
Amended Application: 4.1 hours (53.2%) Notices: 0.4 hours (5.2%) Discovery: 1 hour (13%) Status Conference: 0.2 hours (2.6%) PD: 0.9 hours (11.7%) Hours for Rachel Sweetnam, 2024: (Total: 24.2) Coordination: 2.6 hours (10.7%) Notices: 0.2 hours (0.8%) Status Conference: 1.1 hours, (4.5%) PD: 20.3 hours (83.9%)	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Paul Goodman	2023	102.2	\$ 575	R.20-02-008	\$58,765.00	101.4 [1]	\$ 575 [2]	\$58,305.00
Paul Goodman	2024	38.8	\$ 630	Comment 2	\$24,318.00 [3]	38.7 [4]	\$ 625 [5]	\$24,187.50
Melissa W. Kasnitz	2023	10.2	\$ 715	D.24-06-018	\$7,293.00	10.2	\$ 715 [6]	\$7,293.00
Melissa W. Kasnitz	2024	7.7	\$ 745	Comment 3	\$5,736.50	7.7	\$ 735 [7]	\$5,659.50

CLAIMED						CPUC AWARD		
Rachel Sweetnam	2023	0.6	\$ 220	D.24-06-022	\$132.00	0.6	\$ 220 [8]	\$132.00
Rachel Sweetnam	2024	24.2	\$ 245	Comment 4	\$5,929.00	22 [9]	\$ 240 [10]	\$5,280.00
Subtotal: \$102,173.50						Subtotal: \$100,857.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Paul Goodman	2023	1.0	\$287.50	R.20-02-008	\$287.50	1.0	\$287.50	\$287.50
Paul Goodman	2024	10.6	\$315.00	Comment 2	\$3,339.00	10.6	\$312.50	\$3,312.50
Subtotal: \$3,626.50						Subtotal: \$3,600.00		
TOTAL REQUEST: \$105,800.00						TOTAL AWARD: \$104,457.00		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ³		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
Paul Goodman		2002		219086		No		
Melissa W. Kasnitz		1992		162679		No		
Rachel Sweetnam		2023		350075		No		

C. Attachments Documenting Specific Claim and Comments on Part III:

³ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	<p>Goodman 2024 Rate:</p> <p>CforAT has not yet requested a rate for Mr. Goodman in 2024. Mr. Goodman's rate for 2023 was \$575. Applying the 2024 COLA increase of 4.1% to Mr. Goodman's 2023 rate results in a rate of \$599.</p> <p>Additionally, per Resolution ALJ-393 at p. 5 (Dec. 22, 2020) CforAT requests a 5 percent step increase for Mr. Goodman. Mr. Goodman is currently in Tier V and has not yet received a step increase in that tier.</p> <p>Applying the step increase to the adjusted rate results in the requested rate of \$630 per hour.</p>
3	<p>Kasnitz 2024 Rate:</p> <p>On March 26, 2024, CforAT filed an intervenor compensation claim in R.17-06-024 that included a request that the Commission adopt an hourly rate of \$745 for CforAT's Legal Director, Melissa Kasnitz, based on the Market Rate Study and guidance adopted in Resolution ALJ-393, issued on December 22, 2020. The Commission has not yet acted on that intervenor compensation claim. Rather than repeat the same showing here for the requested hourly rate for Ms. Kasnitz, CforAT refers the Commission to the showing presented in R.17-06-024.</p>
4	<p>Sweetnam 2024 rate:</p> <p>On March 26, 2024, CforAT filed an intervenor compensation claim in A.23-01-004 that included a request that the Commission adopt an hourly rate of \$245 for CforAT's Legal Fellow, Rachel Sweetnam, based on the Market Rate Study and a step increase in accordance guidance adopted in Resolution ALJ-393, issued on December 22, 2020. The Commission has not yet acted on that intervenor compensation claim. Rather than repeat the same showing here for the requested hourly rate for Ms. Kasnitz, CforAT refers the Commission to the showing presented in R.23-01-004.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Disallowance of hours for Paul Goodman in 2023	Paul Goodman claimed 5.1 hours for attending the PHC in 2023. Based on docket record, the PHC took place virtually on August 3, 2023, and lasted 4 hours and 18 minutes, or 4.3 hours. Therefore, we reduce the time for attending the PHC by 0.8 hours to align with the record.
[2] 2023 hourly rate of Paul Goodman	CforAT requests an hourly rate of \$575 for work conducted by Paul Goodman in 2023. D.24-03-025 established a 2023 rate of \$575 for Paul Goodman, therefore we adopt this rate here.
[3] Total Amount Miscalculation	We note that CforAT's total calculation of Paul Goodman's time and rate in 2024 is inaccurate. 38.8 hours x \$630 should be \$24,444, not \$24,318.
[4] Disallowance of hours for Paul Goodman in 2024	Paul Goodman claimed 0.6 hours for an Ex Parte meeting with Commissioner Houck. According to the docket record, this meeting lasted 0.5 hours. Therefore, we reduce the time for attending the Ex Parte meeting by 0.1 hours to align with the record.

Item	Reason
[5] 2024 hourly rate of Paul Goodman	CforAT requests we apply the 2024 escalation factor and step increase for Paul Goodman's 2024 rate. D.24-03-025 approved a 2023 rate of \$575. Per ALJ-393, we apply the 2024 escalation factor of 4.07% and 5% step increase, as requested, to the 2023 rate, resulting in a 2024 hourly rate of \$627.15. We round this to the nearest 5, which makes it \$625. This is the first of two step increases for Attorney Paul Goodman in Tier V.
[6] 2023 hourly rate of Melissa W. Kasnitz	CforAT requests an hourly rate of \$715 for work conducted by Melissa W. Kasnitz in 2023. D.24-06-020 established a 2023 rate of \$715 for Melissa W. Kasnitz, therefore we adopt this rate here.
[7] 2024 hourly rate of Melissa W. Kasnitz	CforAT requests an hourly rate of \$745 for work conducted by Melissa W. Kasnitz in 2024. D.24-10-028 established a 2024 rate of \$735 for Melissa W. Kasnitz, therefore we adopt this rate here.
[8] 2023 hourly rate of Rachel Sweetnam	CforAT requests an hourly rate of \$220 for work conducted by Rachel Sweetnam in 2023. D.24-06-022 established a 2023 rate of \$220 for Rachel Sweetnam, therefore we adopt this approved rate for Rachel Sweetnam.
[9] Disallowance of hours for Rachel Sweetnam in 2024	Rachel Sweetnam's 4.4 hours claimed for ex-parte preparation are excessive, particularly given that the meeting did not present new arguments or analysis beyond those already included in the record. Additionally, CforAT has prior experience with the Commission's ex-parte communication process, which should have reduced the time required for preparation. Therefore, we reduce 50% of the 4.4 hours, and award 2.2 hours for ex-parte preparation.

Item	Reason
[10] 2024 hourly rate of Rachel Sweetnam	CforAT requests we apply the 2024 escalation factor and step increase for Rachel Sweetnam's 2024 rate. D.24-06-022 approved a 2023 rate of \$220. Per ALJ-393, we apply the 2024 escalation factor of 4.07% and 5% step increase, as requested, to the 2023 rate, resulting in a 2024 hourly rate of \$239.95. We round this to the nearest 5, which makes it \$240. This is the first of two step increases for Attorney Rachel Sweetnam in Tier I.

PART IV: OPPOSITIONS AND COMMENTS

**Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (*see* § 1804(c))**

A. Opposition: Did any party oppose the Claim?	Yes
---	-----

If so:

Party	Reason for Opposition	CPUC Discussion
AT&T	AT&T's response outlines the legal standard for awarding intervenor compensation. Under California Public Utilities Code § 1802(j) and §	AT&T California argues that CforAT's contributions were irrelevant to the final decision, which dismissed the application based solely on legal

	<p>1803(a), intervenor compensation is awarded when an intervenor substantially assists the Commission in making a decision by providing factual contentions, legal arguments, or recommendations that the Commission adopts. AT&T argues that the Commission's ruling was based solely on legal grounds and assumed AT&T's factual allegations were true, making CforAT's contributions irrelevant. The decision relied on legal conclusions rather than new facts introduced by CforAT.</p> <p>AT&T asserts that CforAT did not contribute substantially to the Commission's final decision and that CforAT's efforts merely duplicated the work done by Cal Advocates, citing CforAT's own acknowledgment that it deferred to Cal Advocates. Additionally, AT&T contends that 75.5% of the time for which CforAT seeks compensation occurred after Cal Advocates filed its motion to dismiss, which was the decisive action in this case.</p> <p>In conclusion, AT&T requests that the CPUC deny CforAT's claim or, alternatively, not compensate for activities performed after the filing of Cal Advocates' motion to dismiss. The docket proceeding number for the filed motion to dismiss is A.23-03-003.</p>	<p>grounds in Cal Advocates' motion. However, the standard of substantial contribution extends beyond legal arguments. CforAT's work focused on broader public interest concerns, highlighting issues such as accessibility and environmental and social justice impacts. Although not directly influencing the legal ruling, these contributions provided valuable context, aligning with the Commission's public interest goals.</p> <p>AT&T also claims that CforAT's efforts were duplicative of Cal Advocates' work. However, while CforAT deferred to Cal Advocates on some legal matters, it addressed unique perspectives and constituencies, which added distinct value. Strategic collaboration between intervenors is not inherently duplicative; instead, it can be complementary and enrich the proceeding.</p>
--	--	--

CforAT	<p>CforAT argues that AT&T misinterprets the legal standard for a “substantial contribution,” which only requires a demonstrable link between the intervenor’s advocacy and the Commission’s final decision. CforAT asserts that its advocacy provided context, influenced procedural actions, and contributed to the Final Decision, even if the Commission’s final ruling focused primarily on Cal Advocates’ motion to dismiss. CforAT highlights its efforts related to discovery, community input, and the impact on Environmental and Social Justice (ESJ) communities, arguing that these contributed to the public participation hearings and the Commission’s overall review.</p> <p>CforAT counters AT&T’s claim that it is ineligible for compensation for work done after Cal Advocates’ motion, pointing to precedents allowing compensation for ongoing procedural contributions. CforAT requests that if the CPUC finds any hours ineligible for this proceeding, those hours should be claimable in a related, successor rulemaking proceeding (R.24-06-012).</p>	<p>Under California Public Utilities Code § 1802(j), intervenor compensation is granted when an intervenor’s efforts assist the Commission in making an order or decision. The standard considers broader contributions beyond direct legal arguments, including contextual insights and public interest perspectives.</p> <p>CforAT argues that AT&T’s narrow interpretation of the substantial contribution standard overlooks the value of contextual contributions. While the final decision primarily relied on Cal Advocates’ motion to dismiss, CforAT’s advocacy provided additional insights on issues like community impacts and alternative Carrier of Last Resort (COLR) options. These contributions informed the Commission’s comprehensive review, aligning with its public interest objectives.</p>
--------	---	---

B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	No
---	----

If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Center for Accessible Technology has made a substantial contribution to D.24-06-024.
2. The requested hourly rates for Center for Accessible Technology's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$104,457.00.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Center for Accessible Technology is awarded \$104,457.00.
2. Within 30 days of the effective date of this decision, AT&T shall pay Center for Accessible Technology their respective shares of the award, based on their California-jurisdictional telecommunication revenues for the 2023 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent telecommunication revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 6th, 2024, the 75th day after the filing of Center for Accessible Technology's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D2406024		
Proceeding(s):	A2303003		
Author:	ALJ Thomas J Glegola		
Payer(s):	AT&T		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology	August 23, 2024	\$105,800.00	\$104,457.00	N/A	Preparation for Ex Parte are disallowed.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Paul	Goodman	Attorney	\$ 630	2024	\$ 625
Paul	Goodman	Attorney	\$ 575	2023	\$ 575
Melissa	Kasnitz	Attorney	\$ 745	2024	\$ 735
Melissa	Kasnitz	Attorney	\$ 715	2023	\$ 715
Rachel	Sweetnam	Attorney	\$ 245	2024	\$ 240
Rachel	Sweetnam	Attorney	\$ 220	2023	\$ 220

(END OF APPENDIX)