



FILED

03/12/26

08:52 AM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

RE 25-11-007

Application of CitySwitch Tower, LLC for a Certificate of Public Convenience and Necessity pursuant to Public Utilities Code Section 1001.

Application 25-11-007

ASSIGNED COMMISSIONER’S SCOPING MEMO AND RULING

This Scoping Memo and Ruling (Scoping Memo) sets forth the issues, need for hearing, schedule, category, and other matters necessary to scope this proceeding pursuant to Public Utilities Code (Pub. Util. Code) Section 1701.1 and Article 7 of the California Public Utilities Commission’s (Commission) Rules of Practice and Procedure (Rules).

1. Procedural Background

On February November 24, 2025, CitySwitch Tower, LLC (Applicant) filed an application for a certificate of public convenience and necessity (CPCN) to provide full facilities-based and resold competitive local exchange services within all the service territories of Pacific Bell Telephone Company d/b/a AT&T California (AT&T California), Frontier California Inc. (Frontier California), Citizens Telecommunications Company of California, Inc. d/b/a/ Frontier Communications of California (Frontier Communications),¹ and Consolidated Communications of California Company (Consolidated Communications,

¹ In D.26-01-023, the Commission approved the transfer of control of Frontier Communications Parent, Inc. and its California subsidiaries to Verizon Communications, Inc.

formerly SureWest Telephone) and interexchange services throughout California. Neither protest nor response to the application has been filed.

On January 30, 2026, the assigned Administrative Law Judge (ALJ) held a prehearing conference to address the issues of law and fact associated with the application, determine the need for a hearing, set the schedule for resolving the matter, and address other matters as necessary. At the prehearing conference, the ALJ directed Applicant to respond to questions clarifying its business and services. On February 17, 2026, Applicant filed a comprehensive response to the questions.

I have determined the issues and initial schedule of the proceeding, as set forth in this Scoping Memo. I have also determined that no environmental and social justice issues have been raised at this time.

2. Issues

The issues to be determined are:

1. Whether Applicant meets all Commission requirements, including financial, technical, and California Environmental Quality Act (CEQA) requirements for a CPCN; and
2. Whether Applicant should be authorized to use the Commission's Energy Division's 21-day expedited environmental review process for its full facilities-based construction activities under statutory or categorical exemptions to CEQA.

3. Need for Evidentiary Hearing

There are no issues of material disputed fact. Accordingly, no evidentiary hearing is needed.

4. Schedule

This matter will be submitted upon review of responses to questions regarding the application and a determination that no further information or evidence is needed to evaluate the issues in this proceeding.

The proposed decision is expected to be filed no later than 90 days from the date the proceeding is submitted, for public review and comment pursuant to Pub. Util. Code Section 311(d). If the proposed decision grants the uncontested requested relief, public review and comment shall be waived pursuant to Rule 14.6(c)(2). Based on this schedule, the proceeding will be resolved within 18 months as required by Pub. Util. Code Section 1701.5.

5. Category of Proceeding and *Ex Parte* Restrictions

This Ruling confirms the Commission's preliminary determination that this is a ratesetting proceeding.² Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

6. Public Outreach

Pursuant to Pub. Util. Code Section 1711, where feasible and appropriate, before determining the scope of the proceeding, the Commission sought the participation of those likely to be affected, including those likely to derive benefit from, and those potentially subject to, a decision in this proceeding. This matter was noticed on the Commission's daily calendar. Where feasible and appropriate, this matter was incorporated into engagements conducted by the Commission's External Affairs Division with local governments and other interested entities.

² Resolution ALJ 176-3574.

7. Response to Public Comments

Parties may, but are not required to, respond to written comments received from the public. Parties may do so by posting such response using the “Add Public Comment” button on the “Public Comment” tab of the online docket card for the proceeding.

8. Public Advisor

Any person interested in participating in this proceeding who is unfamiliar with the Commission’s procedures or has questions about the electronic filing procedures is encouraged to obtain information at <https://www.cpuc.ca.gov/about-cpuc/divisions/news-and-public-information-office/public-advisors-office> or contact the Commission’s Public Advisor at 1-866-849-8390 or 1-866-836-7825 (TTY), or send an email to public.advisor@cpuc.ca.gov.

9. Filing, Service, and Service List

The official service list has been created and is on the Commission’s website. Parties should confirm that their information on the service list is correct and serve notice of any errors on the Commission’s Process Office, the service list, and the ALJ. Persons may become a party pursuant to Rule 1.4.³

When serving any document, each party must ensure that it is using the current official service list on the Commission’s website.

This proceeding will follow the electronic service protocol set forth in Rule 1.10. All parties to this proceeding shall serve documents and pleadings using email, whenever possible, transmitted no later than 5:00 p.m. on the date

³ The form to request additions and changes to the service list may be found at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/administrative-law-judge-division/documents/additiontoservicelisttranscriptordercompliant.pdf>.

scheduled for service to occur.⁴ Rule 1.10 requires service on the ALJ of both an electronic and a paper copy of filed or served documents. However, the ALJ waives the requirement to serve a paper copy of any documents.

When serving documents on the Commissioners or their advisors, whether or not they are on the official service list, parties must only provide electronic service. Parties must not send hard copies of documents to Commissioners or their advisors unless instructed to do so.

Persons who are not parties but wish to receive electronic service of documents filed in the proceeding may contact the Process Office at process_office@cpuc.ca.gov to request addition to the “Information Only” category of the official service list pursuant to Rule 1.9(f). The Commission encourages those who seek information-only status on the service list to consider the Commission’s subscription service an alternative. The subscription service sends individual notifications to each subscriber of formal e-filings tendered and accepted by the Commission. Notices sent through the subscription service are less likely to be flagged by spam or other filters. Notifications can be for a specific proceeding, a range of documents and daily or weekly digests.

10. Receiving Electronic Service from the Commission

Parties and other persons on the service list are advised that it is the responsibility of each person or entity on the service list for Commission proceedings to ensure their ability to receive emails from the Commission. Please add “@cpuc.ca.gov” to your email safe sender list and update your email screening settings and filters to ensure receipt of emails from the Commission

⁴ Rule 1.15 states that if an act occurs after 5:00 p.m., it is deemed as having been performed on the next day.

11. Assignment of the Proceeding

Darcie L. Houck is the assigned Commissioner and Zhen Zhang is the assigned ALJ for this proceeding.

IT IS SO RULED that:

1. The scope of this proceeding is described above and is adopted.
2. The schedule of this proceeding is set forth above and adopted.
3. An evidentiary hearing is not needed.
4. The category of this proceeding is ratesetting.

This order is effective today.

Dated March 12, 2026, at San Francisco, California.

/s/ DARCIE L. HOUCK

Darcie L. Houck
Assigned Commissioner