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**FILED**

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A2507012

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

Application of Charter Fiberlink CA-CCO, LLC (U-6878-C) to expand its existing Certificate of Public Convenience and Necessity to provide limited facilities-based telecommunications service in the service territory of CenturyTel of Eastern Oregon, LLC.

Application 25-07-012

**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).

**Summary**

On May 6, 2004, Charter Fiberlink CA-CCO, LLC (U-6878-C) (Charter Fiberlink or Applicant) was granted a certificate of public convenience and necessity (CPCN) to provide limited facilities-based and resold local exchange and telecommunications services within the service territories of Pacific Bell Telephone Company (Pacific), Verizon California Inc. (Verizon), SureWest Telephone Company (SureWest), formerly named Roseville Telephone

Company, and Citizens Telecommunications Company of California, Inc. (CTC).<sup>1</sup> It now seeks to modify its existing CPCN to expand its service area to provide limited facilities-based telecommunication services within areas of the state of California that are currently part of the service territory of CenturyTel of Eastern Oregon, LLC. Specifically, Charter Fiberlink anticipates providing local interconnection services to its interconnected Voice Over Internet Protocol (VoIP) service provider affiliate and serving interexchange carriers seeking to terminate calls to customers of its VoIP affiliate.

### **1. Procedural Background**

On July 18, 2025, Charter Fiberlink filed an application to modify its existing CPCN to provide limited facilities-based telecommunication services in the service territory of CenturyTel of Eastern Oregon, LLC (Application).<sup>2</sup> On August 27, 2025, Applicant filed an amendment to the Application to expand upon its confidential explanation of exceptions to the Application in order to clearly identify and publicly disclose items that are public, while separately marking items “confidential” which concern past investigations by the Federal Communications Commission (“FCC”), state regulatory or law enforcement agencies regarding aspects of Charter Fiberlink’s or their affiliate businesses which were resolved.

No responses or protests to the Application or amendment have been filed, therefore the Application is uncontested.

A prehearing conference (PHC) was held on September 29, 2025, to

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<sup>1</sup> See Re Charter Fiberlink CA-CCO, LLC, D.04-05-011, 2004 Cal. PUC LEXIS 211 (“Charter Fiberlink CPCN”). The initial decision granting Charter Fiberlink a CPCN is also included as part of “Attachment A – Certificates.”

<sup>2</sup> See Charter Fiberlink Response to ALJ Inquiry dated February 2, 2026, which identifies the New Pine Creek exchange area as the expanded service area.

address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary.

On December 15, 2025, the assigned Administrative Law Judge (ALJ) issued a Ruling Requesting Additional Information, to which Applicant responded on December 31, 2025.

On January 13, 2026, the assigned ALJ issued a Ruling Requesting Additional Information, to which Applicant responded on February 2, 2026.

After considering the Application, the responses to the ALJ's ruling, and discussion at the PHC, I have determined the issues and initial schedule of the proceeding to be set forth in this scoping memo. No environmental and social justice (ESJ) issues have been raised at this time.

## **2. Issues**

The issues to be determined or otherwise considered are:

1. Whether modification of Charter Fiberlink's service area meets all of the Commission requirements, including but not limited to public purpose program surcharge and user fee reporting and payment obligations.
2. Whether modification of Charter Fiberlink's service area is compliant with the California Environmental Quality Act (CEQA) requirements for a CPCN.<sup>3</sup>

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<sup>3</sup> In its Application at 2, Section E "*Description of Proposed Construction*," Applicant states that it does not intend to construct any facilities, other than equipment to be installed in existing buildings or structures in the service territory of CenturyTel of Eastern Oregon, LLC, consistent with the "limited facilities-based authority" that it currently holds within the state of California. Should Applicant determine that there is a need for construction in the future, it must seek the necessary authority and comply with any Commission-required CEQA review.

*Footnote continued on next page.*

**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 rulings requesting additional information 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 of submission for public review and comment per Pub. Util. Code Section 311(d), except that, if it grants the uncontested requested relief, public review and comment may be waived pursuant to Rule 14.6(c)(2). The assigned ALJ or Commissioner may revise the schedule as needed. Based on this schedule, the proceeding will be resolved within 18 months as required by Public Utilities Code Section 1701.5.

**5. Category of Proceeding and Ex Parte Restrictions**

This ruling confirms the Commission's preliminary determination<sup>4</sup> that this is a ratesetting proceeding. Accordingly, *ex parte* communications are restricted and must be reported pursuant to Article 8 of the Rules.

**6. Public Outreach**

Pursuant to Public Utilities Code Section 1711(a), 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

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<sup>4</sup> Resolution ALJ 176-3567 dated August 14, 2025.

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 parties.

## **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 more 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 e-mail to [public.advisor@cpuc.ca.gov](mailto: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.<sup>5</sup>

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<sup>5</sup> 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>

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 electronic mail, whenever possible, transmitted no later than 5:00 p.m., on the date scheduled for service to occur. Rule 1.10 requires service on the ALJ of both an electronic and a paper copy of filed or served documents.

When serving documents on Commissioners or their personal 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 personal advisors unless specifically 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](mailto: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 as an alternative. The subscription service sends individual notifications to each subscriber of formal e-filings tendered and accepted by the Commission. Notices sent through 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 e-mails from the Commission.

Please add “@cpuc.ca.gov” to your e-mail safe sender list and update your e-mail screening practices, settings, and filters to ensure receipt of e-mails from the Commission.

**11. Assignment of the Proceeding**

Karen Douglas is the assigned Commissioner and Patricia Miles is the assigned ALJ for the proceeding.

**IT IS 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 is adopted.
3. Evidentiary hearing is not needed.
4. The category of the proceeding is ratesetting.

This order is effective today.

Dated April 17, 2026, at San Francisco, California.

/s/ KAREN DOUGLAS

Karen Douglas  
Assigned Commissioner