



FILED

05/21/26

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

R2406012

Order Instituting Rulemaking
Proceeding to Consider Changes to the
Commission's Carrier of Last Resort
Rules.

Rulemaking 24-06-012

**ADMINISTRATIVE LAW JUDGE'S RULING
ORDERING ADDITIONAL INFORMATION**

This ruling directs Empowering Quality Utility Access for Isolated Localities (EQUAL) to file supplemental information, as indicated below, to its Notice of Intent to Claim Intervenor Compensation (NOI). EQUAL must file and serve this supplemental information within 30 days of the issuance of this ruling.

1. Procedural Background

On July 25, 2024, EQUAL filed a timely NOI stating that it qualifies as a category 3 customer as defined under Public Utilities Code (Pub. Util. Code) Section 1802(b)(1)(C), and has significant financial hardship, where the economic interest of its individual members is small in comparison to the costs of effective participation in the proceeding, pursuant to Pub. Util. Code Section 1802(h).

2. Eligibility for Intervenor Compensation

Pub. Util. Code Sections 1801-1812 govern the Commission's intervenor compensation program. To qualify for compensation, EQUAL must satisfy three specific requirements: a) file a timely NOI, b) demonstrate customer status, and c) demonstrate significant financial hardship.

3. Customer Status

EQUAL is a new intervenor seeking intervenor compensation for the first time. To demonstrate its customer status eligibility, EQUAL provided a copy of its “Statement by Unincorporated Association” form and bylaws authorizing it to represent the interests of residential customers, among other items. Additional information is needed to demonstrate its eligible customer status. This ruling directs EQUAL to file and serve the following:

- The Statement by Unincorporated Association as formally filed with the Secretary of State, (the NOI provided only a draft form);
- A signed copy of the minutes from the association’s initial organizational meeting, confirming the formal creation of the group, election of its directors, and adoption of the bylaws and other governing documents;
- A copy of the bylaws signed by the members, along with any other governing documents;
- Documentation confirming EQUAL has formally adopted all necessary authorizations required to participate in this proceeding;
- A detailed explanation of the election process for directors and the appointment process for officers;
- A list of both the initial and current members, including each member’s place of residence; and
- A description of EQUAL’s activities in 2024 and 2025 that relate to the purposes stated in its bylaws.

4. Significant Financial Hardship

To make an informed finding regarding EQUAL’s significant financial hardship claim, the Commission needs more information regarding EQUAL’s individual members. This ruling directs EQUAL to disclose whether any of its members are affiliated with entities (including commercial, industrial, governmental or nonprofit) that participate in a Commission-regulated industry

or market or provide services to such entities. For any such affiliation, EQUAL must provide the name of the entity and the specific role held by the member. Additionally, EQUAL is directed to submit a complete list of all donors, including members, for the years 2024 and 2025, including the specific amount contributed by each donor.

5. Conclusion

EQUAL is directed to file the information requested above within 30 days of the issuance of this ruling and title it "Supplement to Notice of Intent to Claim Intervenor Compensation." Any information EQUAL deems confidential may be submitted under seal in accordance with Rules 11.1 and 11.4 of the Commission's Rules of Practice and Procedure. A final determination regarding EQUAL's eligibility to claim intervenor compensation will be made only after the Commission has received a complete showing of all eligibility requirements.

IT IS SO RULED.

Dated May 21, 2026, at San Francisco, California.

/s/ THOMAS J. GLEGOLA
Thomas J. Glegola
Administrative Law Judge

Appendix A EQUAL's NOI

Party intending to claim intervenor compensation: Empowering Quality Utility Access for Isolated Localities ("EQUAL")	
Assigned Commissioner: John Reynolds	Administrative Law Judge: Thomas J. Glegola

PART I: PROCEDURAL ISSUES (Completed by the party intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b))¹ The party claims "customer" status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers. (<i>See</i> , for example, D.08-07-019 at 5-10).	☐
2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.	☐
3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation (§1802(b)(1)(C)). Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 30.	☒
4. The party's detailed explanation of the selected customer category. EQUAL was created for the purpose of representing the interests of residential utility customers in isolated regions of California before the California Public Utilities Commission ("CPUC"). EQUAL is a grass roots association of utility customers in California formed to advocate for reliable, affordable and ubiquitous utility services for all residents in California, specifically those living in isolated regions of the state. EQUAL filed a motion for party status on July 15, 2024, which is pending. Once granted party status in this proceeding, EQUAL intends to participate actively to provide information and recommendations on the Commission's consideration of COLR rule changes. EQUAL has a direct interest in this COLR proceeding and	

¹ All "§" and "Section" references are to California Public Utilities Code unless indicated otherwise.

respectfully requests that it be ruled eligible to seek intervenor compensation so that it may participate in this proceeding. EQUAL is providing the following exhibits in support of its Notice: California unincorporated Association filing with the California Secretary of State's office (Attachment 1); EQUAL's Bylaws (Attachment 2). As noted in its bylaws, EQUAL's official mission is to represent the interests of residential utility customers in isolated regions of CA. EQUAL meets the definition of a Category 3 customer, as set forth in Pub. Util. Code Section 1802(b).		
Do you have any direct economic interest in outcomes of the proceeding?² If "Yes", explain:		☐ Yes ☒ No
B. Conflict of Interest (§ 1802.3)		Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?		☐ Yes ☒ No
2. If the answer to the above question is "Yes", does the customer have a conflict arising from prior representation before the Commission?		☐ Yes ☒ No
C. Timely Filing of Notice of Intent to Claim Intervenor Compensation (NOI) (§ 1804(a)(1)):		
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: No pre-hearing conference will be held. ³		☒ Yes ☒ No
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?		☒ Yes ☐ No
2a. The party's description of the reasons for filing its NOI at this other time. The OIR instructs parties to file their NOI within 30 days after issuance of the OIR.		
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time: The OIR issued in R. 24-06-012 directs parties to file their NOI "no later than 30 days after the issuance date of this OIR." The OIR was issued on June 28, 2024, therefore the NOI is due on July 29, 2024.		

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(Completed by the party intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)):
1. What is the nature of your planned participation in this proceeding (as far as it is possible to describe on the date this NOI is filed)? On what issues do you plan to participate?

² See Rule 17.1(e).

³ The subject NOI was filed on July 25, 2024. At that time, no prehearing conference was held. A prehearing conference was held on December 13, 2024.

EQUAL, if granted party status, intends to be an active participant in the proceeding and plans to conduct discovery, participate in the evidentiary hearing, prepare testimony, defend its testimony, cross-examine witnesses, and prepare briefs.

EQUAL anticipates that it will present evident on all of the following issues set forth in the preliminary scoping of issues set forth in the OIR:

- Is it still necessary for the Commission to maintain its COLR rules? Here, the Commission adopts a rebuttable presumption that the COLR construct remains necessary, at least for certain individuals or communities in California.
- Should the Commission revise the definition of a COLR, and if yes, how should the Commission revise that definition? What should be the responsibilities of a COLR?
- Should the Commission revise how it defines a COLR's service territory?
- Are there regions or territories in California that may no longer require a COLR? Are there regions that require COLR service? If yes, how should the Commission distinguish between the two? What criteria should be met for a region or territory to no longer require COLR designation?
- Can the Commission require Voice over Internet Protocol (VoIP) providers to be COLRs? If yes, should the Commission designate VoIP providers as COLRs?
- Can COLR service be provisioned using wireless voice service? Can the Commission direct wireless voice providers to serve as COLRs? If yes to both, should the Commission designate wireless voice providers as COLRs?
- If the Commission does not have the authority to require a wireless voice provider to offer COLR service, is a wireless voice provider eligible to volunteer to be a COLR? If yes, should the Commission grant such an application? Should the requirements of a potential wireless COLR be different than a COLR offering Plain Old Telephone Service (POTS) or VoIP service?
- Should the Commission revise the requirements of basic service? If yes, which requirements or elements should be revised, and what should be those revisions?
- Should the Commission revise the subsidy amount offered for participation in the California High Cost Fund-B?¹³ What is an appropriate subsidy amount and how should it be calculated?
- Should the Commission revise its rules for how and when a COLR is allowed to withdraw from its designated service territory? If so, how should the Commission revise its rules? Should the Commission require that the service of a potential replacement COLR be functionally similar to that of the current COLR? If yes, what similar functionality requirements should the Commission adopt?
- When should a COLR seeking to withdraw be required to notify residents in the COLR territory of its request to withdraw? What should be included in the contents of that notification? What method(s) should be used for notification?

- If a COLR applies to withdraw, and a new COLR is designated, is there a need for a customer transition period? If yes, how long should that transition period last? What customer service protections, if any, should the Commission impose as part of a customer transition period? What other elements or processes, other than customer protections, should be provided in a customer transition period? How long should a customer transition period last?

EQUAL reserves the right to amend the scope of its participation after issuance of the Scoping Memo and after receipt of all discovery in this proceeding.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)):

Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
Anita Taff-Rice	200	\$588*	\$117,600	
Karen Miller	150	\$281*	\$42,150	
Donna Brandon	100	\$146*	\$14,600	
Lance Ware	150	\$325	\$48,750	
*2023 rates awarded to these individuals in D.24-03-029 plus the 4.07% annual escalator approved by the Commission. Anita Taff-Rice \$565 x 4.07% Karen Miller \$270 x 4.07% Donna Brandon \$140 x 4.07%				
Subtotal: \$223,100				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$0.00				
COSTS				
Transcripts				
Copying				\$ 250
Legal Research				\$700
Travel				\$500
Subtotal: \$1450				
TOTAL ESTIMATE: \$224,550				

Estimated Budget by Issues: Because no pre-hearing conference has been held, EQUAL does not know the number of parties likely to provide recommendations or the exact scope of the proceeding. Therefore, the estimate below of anticipated allocation of work effort by issue is necessarily preliminary.

Necessity of Maintaining COLR Rules: 5%
Revisions to COLR Definition and Responsibilities: 20%
Service Territory Definitions and Designations: 5%
Regions or Territories Requiring COLR Designation: 10%
Feasibility of VoIP Providers as COLRs: 5%
Feasibility of Wireless Providers as COLRs: 10%
Eligibility of Wireless Voice Providers as COLRs: 5%
Revisions to Basic Service Requirements: 4%

Subsidy Amounts for High-Cost Fund-B Participation: 1%
Rules and Processes for COLR Withdrawal: 30%
Notification for COLR Withdrawal: 5%

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(Completed by party intending to claim intervenor compensation)

A. The party claims that participation or intervention in this proceeding without an award of fees or costs imposes a significant financial hardship, on the following basis:	Applies (check)
1. The customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation. (§ 1802(h))	☐
2. In the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding. (§ 1802(h))	☒
3. The eligible local government entities' participation or intervention without an award of fees or costs imposes a significant financial hardship. (§ 1803.1(b).)	☐
4. A § 1802(h) or § 1803.1(b) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	☐
Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made: N/A	
B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(h) or § 1803.1(b)) (necessary documentation, if warranted, is attached to the NOI:	
The cost of EQUAL's participation in CPUC proceedings substantially outweighs the benefit to the individual members it represents. EQUAL's members are residential customers whose individual interests in the proceeding are difficult to quantify because those interests are predominantly related to decreased safety if landlines are no longer available. In addition, if the Commission determines the rules for COLR's do not need to remain intact, customers will be forced to attempt to find alternate service from other providers and it is not knowable at this time whether those alternative services will cost more than existing landline service. It is unlikely that EQUAL's members will see financial benefits that exceed their costs of intervention.	

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**

(The party intending to claim intervenor compensation identifies and attaches documents)

Attachment No.	Description
1	Secretary of State Filing of “Statement by Unincorporated Association”
2	Bylaws
3	Certificate of Service

(End of Appendix A)