



**FILED**

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R2406012

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

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 AT&T CALIFORNIA ATTESTATION AND VERIFICATION**

Over the course of this proceeding and prior proceedings, AT&T California has stated that its Carrier of Last Resort (COLR) and basic service obligations have prevented its ability to modernize or replace its legacy copper telephone network facilities with fiber-optic and wireless network facilities.<sup>1</sup> Yet,

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<sup>1</sup> For example, Application 23-03-003 at 1:

AT&T California[’s] COLR obligation... in effect requires AT&T... to wastefully operate and maintain two duplicative networks: one, an antiquated, narrowband network with an ever-dwindling base of subscribers, and the other, a forward-looking, fiber and wireless broadband network.

*Ibid.* at 29:

AT&T California’s COLR obligation... requires AT&T... to divert resources away from broadband deployment in California.

*Ibid.* at 31:

the COLR obligation requires AT&T California to divert financial and human resources to maintaining the obsolescent copper-based network throughout its service territory.

*Footnote continued on next page.*

more recently, AT&T California has provided contradictory data and statements suggesting that these modern network facilities are being used to comply with its COLR and basic service requirements by providing basic service over fiber.

This Ruling sets aside submission for the purpose of AT&T California verifying certain data and statements. By May 29, 2026, AT&T California is ordered to attest to the accuracy of statements and information discussed in Section 3 of this Ruling. The attestation shall be verified pursuant to Rule 1.11 of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure (Rules).

## **1. Background**

The Commission has held three workshops as part of its fact-finding efforts for this proceeding, including a remote workshop on August 22, 2025, to discuss topics in federal policy, accessibility, and ancillary services, as those particular topics relate to COLR service or COLR withdrawal impacts. On October 1, 2025, the assigned Administrative Law Judge issued a ruling (October 2025 Ruling) noticing video coverage of the August 22, 2025 workshop and asked parties to comment on the discussion at the workshop, as well as to respond to

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*See also* Pacific Bell Telephone Company D/B/A AT&T California's Reply Comments in Response to the Order Instituting Rulemaking in this proceeding filed October 30, 2024, at 5:

Maintaining COLR obligations... would divert resources from vital broadband investments to outdated TDM networks... and increased environmental harm due to prolonged use of copper networks.

*Ibid.* at 20-21:

A COLR cannot satisfy its COLR obligation over its broadband network because a COLR must provide a tariffed, POTS-centric "basic service," and wireless and VoIP are interstate services subject to mandatory detariffing under federal law... that no COLR satisfies its basic service obligation with mobile wireless or VoIP... offers *prima facie* evidence that formal technological neutrality is meaningless.

follow-up questions. The October 2025 Ruling also ordered certain industry parties, including AT&T California, to provide information regarding whether they offered products that could meet specific functions (*e.g.*, emergency communications for elevators), as well as other data.

On November 21, 2025, AT&T California filed its response, with some data and information subject to a motion to file under seal.

## **2. AT&T California Did Not Comply With October 2025 Ruling**

A review of AT&T California's filing makes clear that AT&T California has not complied with the October 2025 Ruling. All other respondent utilities complied in full. Despite follow-up from the Commission's Communications Division (CD), the submission remains substantially incomplete. In particular, AT&T California's submission continues to lack county-level (as opposed to aggregated statewide) data that would be critical for the Commission to accurately assess the extent to which Californians in different communities may have different levels of utilization, or rely to a greater or lesser extent, on elements of basic service AT&T California has characterized as anachronistic and unnecessary for ensuring continuity of essential communications service for all Californians. Relying exclusively on statewide aggregated data could lead the Commission to miss differences in utilization of elements of basic service on a regional or local level and erroneously conclude that an element of basic service is no longer utilized by customers, and no longer necessary, despite ongoing utilization by customers living in specific communities that county-level data could reveal.

As a Director of CD notified AT&T California in a December 5, 2025 email, AT&T California's filing does not contain the following data:

- The October 2025 Ruling ordered all COLRs to provide the total number of voice calls made in 2020, 2021, 2022, 2023, and 2024 statewide and by county of the customer placing the call.<sup>2</sup> AT&T California provided statewide totals for the years 2022, 2023, and 2024.
- The October 2025 Ruling ordered all COLRs to provide the number of calls requesting operator services were completed in 2020, 2021, 2022, 2023, and 2024 statewide and by county of the customer originating the call.<sup>3</sup> AT&T California provided statewide totals for the years 2022, 2023, and 2024.
- The October 2025 Ruling ordered all COLRs to provide the number of calls for 911 services were completed in 2020, 2021, 2022, 2023, and 2024, statewide and by county of the customer originating the call.<sup>4</sup> AT&T California submitted statewide totals for 2023 and reported total number of 911 voice calls for 2024 that is roughly three times more than the number reported in Attachment F of its filing.
- The October 2025 Ruling ordered all COLRs to provide the number of requests for directory services received in 2020, 2021, 2022, 2023, and 2024, totaled statewide and by county of the customer placing the request.<sup>5</sup> AT&T California submitted statewide totals for the years 2022, 2023, and 2024.
- The October 2025 Ruling ordered all COLRs to provide the number of calls to toll-free 8YY services that were completed in 2020, 2021, 2022, 2023, and 2024 by statewide total and by county of the customer originating the call.<sup>6</sup> AT&T California submitted statewide totals for the years 2022, 2023, and 2024.

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<sup>2</sup> October 2025 Ruling at 6.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> *Id.* at 7.

<sup>6</sup> *Ibid.*

- The October 2025 Ruling ordered all COLRs to provide the number of calls to 988, or the National Suicide and Crisis Lifeline, that were completed in 2020, 2021, 2022, 2023, and 2024, totaled statewide and by county of the customer originating the call.<sup>7</sup> AT&T California submitted statewide totals for the years 2022, 2023, and 2024.
- The October 2025 Ruling ordered all COLRs to provide the number of calls to 211 services that were completed in 2020, 2021, 2022, 2023, and 2024, totaled statewide and by county of the customer originating the call.<sup>8</sup> AT&T California submitted statewide totals for the years 2023 and 2024, along with a statement that “AT&T California has been able to locate for 2021 and 2022 appear to be substantially incomplete and thus unreliable.”<sup>9</sup>
- The October 2025 Ruling ordered all COLRs to provide the number of calls to 811 services that were completed in 2020, 2021, 2022, 2023, and 2024, totaled statewide and by county of the customer originating the call.<sup>10</sup> AT&T California submitted statewide totals for the years 2022, 2023, and 2024.
- The October 2025 Ruling ordered all COLRs to provide the number of calls utilizing California Relay Service were completed in 2020, 2021, 2022, 2023, and 2024, and how many of these calls were originated by basic service customers. AT&T California submitted statewide totals for the years 2022, 2023, and 2024.<sup>11</sup>

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<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> AT&T California’s Comments on October 2025 Ruling filed November 21, 2025, at 33.

<sup>10</sup> October 2025 Ruling at 7.

<sup>11</sup> *Ibid.*

Finally, AT&T California stated that the carrier does not have complete data for 2022 and only provided data for the date range October 23-December 31, 2022.<sup>12</sup>

### **3. Verification Ordered**

In addition to the incompleteness of AT&T California's filings, a significant portion of the information provided in response to the October 2025 Ruling appears to lack credibility, and some of the data contradicts other data or statements docketed in this proceeding or the data is inconsistent with reports that AT&T California submits to the Commission, such as its annual Automated Reporting Management Information System (ARMIS) report.<sup>13</sup> Therefore, AT&T California is ordered to verify the statements discussed in this section.

AT&T California also appears to have made contradictory statements and provided contradictory data regarding its provisioning of basic service over fiber. In addition to two attorneys from AT&T California making contradictory statements,<sup>14</sup> AT&T California's data appears to contradict its comments. The

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<sup>12</sup> Email from Meredith Osborn (December 12, 2025, 4:50 p.m.).

<sup>13</sup> In 1987, the Federal Communications Commission (FCC) began collecting the largest local exchange carriers' (LEC) financial and operational data. The FCC subsequently required additional information regarding: (a) service quality, (b) network infrastructure, (c) statistical data, and (d) video dial tone investment, expense, and revenue data. The FCC acquired this information using ARMIS. The Commission requires incumbent LECs subject to the Uniform Regulatory Framework to continue to file California-specific information from ARMIS reports even if the FCC no longer required filing of these reports. (Decision (D.) 08-09-015 at Ordering Paragraph 5).

<sup>14</sup> *See*, Reporters' Transcript, December 13, 2024, Prehearing Conference at 43:13-19. AT&T California's statement was: "...as currently written, the rules today would – are POTS-centric (plain old telephone service)... and the tariffing required... is only applicable [to] POTS..."

*See also*, Administrative Law Judge's Ruling Regarding Comments on Topics Discussed at April Workshops, issued May 19, 2025, at 3-4. A representative of AT&T California at the April 11, 2025 Workshop stated, after questioning, that that there is "nothing preventing" AT&T California from offering a tariffed service relying on a fiber or wireless network.

November 21, 2025, response of AT&T California to the October 2025 Ruling includes a statement that AT&T California “only has data from October 2025 on the type of last-mile technology used to provide basic service to residential customers. As of October 31, 2025, AT&T California had approximately 5,600 residential basic service customers serviced over last-mile fiber connections and approximately 319,000 residential basic service customers serviced over last-mile copper connections.”<sup>15</sup> In an email in which the CD Director sought clarification, AT&T California stated that “AT&T California considers the terms ‘basic service’ and ‘POTS’<sup>16</sup> as synonymous.”<sup>17</sup> Shapefiles contained in Confidential Attachment C, Point-Level Locations of all Residential Customers Subscribed to

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<sup>15</sup> AT&T California’s Comments on October 2025 Ruling filed November 21, 2025, at 29-30.

<sup>16</sup> It is not clear why AT&T California considers the terms POTS and basic service as synonymous. POTS means Plain Old Telephone Service. D.12-12-038 at Appendix A revised the elements of basic service to include the following:

- Offering customers the ability to place and receive voice-grade calls over all distances utilizing the public switched telephone network or successor network;
- Free access to 9-1-1/Enhanced (E) 9-1-1 service;
- Access to directory services;
- Billing provisions;
- Access to 800 and 8YY Toll-Free services;
- Access to Telephone Relay Service as provided for in Public Utilities Code § 2881;
- Free access to customer service for information about Universal Lifeline Telephone Service (ULTS) service activation, service termination, service repair and bill inquiries;
- One-time free blocking for information services, and one-time billing adjustments for charges incurred inadvertently, mistakenly, or without authorization; and
- Access to operator services.

<sup>17</sup> Email from Meredith Osborn (February 17, 2026, 4:26 p.m.).

Basic Service contain a different number of residential basic service customers for POTS connections on fiber, one substantially higher than the 5,600 residential basic service customers AT&T California claimed in its public filing. Given this apparent discrepancy or contradiction, AT&T California is ordered to provide the following information:

- The date AT&T California began offering basic service over fiber;<sup>18</sup>
- An explanation for why the confidential and public numbers for its basic service customers are different;
- Confirmation whether any customers receive basic service over a wireless network, such as “AT&T Phone – Advanced,” and if so, the number of customers.<sup>19</sup> If AT&T California does not utilize fixed or mobile wireless

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<sup>18</sup> Based on public comments at public participation hearings held in this proceeding, or submitted to this proceeding’s Docket Card, it appears that AT&T California may have been offering basic service over fiber prior to October 2025. *See*, Transcript of April 30, 2025, Public Participation Hearing, comments of Kelly Dannier, 390:19-391:8:

...I requested that AT&T provide a copper landline on the property. Something I understand they are legally obligated to do as the Carrier of Last Resort. I made numerous calls to AT&T to get this landline installed and have been told at every turn that “your property is ineligible for a new landline.” I’ve spent hours speaking with oversees representatives and their managers, representative from AT&T stores, and have spoken with and exchanged emails with Sandra Car (phonetic) the office of the president.

Like the others, Ms. Car told me that AT&T is under no obligation to provide a new copper landline and offered me voice over IP...

*See also*, public comments of Berkliia Griene of Berkeley, submitted to the Docket Card on July 15, 2025:

...Today, I called AT&T to request traditional landline telephone service... They told me that my apartment had the usable copper lines to support landline service, but that AT&T does not offer landline service anymore – only ‘fiber’ or ‘VoIP’...

(corrected for spelling and capitalization)

<sup>19</sup> More information on AT&T Phone Advanced is available on AT&T’s website at:

<https://www.att.com/home-phone/phone-advanced/>.

networks to comply with its COLR obligation, AT&T California shall state that in explicit terms;

- An explanation for which numbers in the confidential and public filings are accurate and why; and
- An explanation of why AT&T California has only recently made the decision to comply with its COLR obligation through its fiber-optic network, if that is when this decision was made.

Given that different AT&T California attorneys appear to have contradicted themselves on the issue of whether AT&T California may legally offer basic service over fiber, the President of AT&T California must make this attestation, verify it pursuant to Rule 1.11, and explain the steps taken to ensure accurate answers.

In response to an email from a Director of CD regarding the accuracy of the data sets listed in Section 2 of this Ruling, including numbers that appear to be significantly underreported, AT&T California stated “AT&T California does not maintain this data in the ordinary course of business, does not use or rely on the data in its operations, strategies, and decision-making, and extracted the data only for purposes of this proceeding. As we also stated, AT&T California has not been able to validate the accuracy of these data. Therefore, any discrepancies in the data – whether actual or merely perceived – are not unexpected and may not be susceptible to ready explanation.”<sup>20</sup> AT&T California shall verify this statement pursuant to Rule 1.11.

Regarding the low call volume numbers for certain high population counties, in an email to the Director of CD, AT&T California stated: “...we may not be able to explain the county-level data that give rise to your observation

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<sup>20</sup> Email from Meredith Osborn (December 23, 2025, 10:32 a.m.).

(about Los Angeles County) that the call volumes for certain call categories appear to be incorrect for large counties, but we are we are [*sic*] rechecking the steps we took to aggregate the data to the county level. Given the holidays, however, we will not be able to provide an update on this issue until early to mid-January.”<sup>21</sup> AT&T California shall verify this statement pursuant to Rule 1.11.

By not later than May 29, 2026, AT&T California shall file and serve the required verified attestations.

Lastly, AT&T California’s failure to respond in a timely manner to requests for information is unfortunately causing delays in this proceeding and reflects a similar pattern of behavior demonstrated in other proceedings, including AT&T California’s inappropriately-filed application for relief of its COLR obligations. The Commission recognizes the importance of timely decision-making, but mere expeditiousness cannot be the basis for action taken if it relies of an insufficient or inaccurate record created through incomplete or questionable responses by parties critical to the proceeding. If parties, including AT&T California, want to assist the Commission in reaching a reasoned decision in a timely manner, it is critical that they endeavor to provide accurate and timely responses to minimize additional delays.

**IT IS RULED** that AT&T California shall verify that accuracy of statements and data discussed in Section 3 of this Ruling, pursuant to Rule 1.11

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<sup>21</sup> *Ibid.*

R.24-06-012 ALJ/TJG/nd3

of the California Public Utilities Commission's Rules of Practice and Procedure  
no later than May 29, 2026.

Dated May 18, 2026, at San Francisco, California.

/s/ THOMAS J. GLEGOLA

Thomas J. Glegola  
Administrative Law Judge