

BEFORE THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF CALIFORNIA



Order Instituting Rulemaking to Update the  
California LifeLine Program

Rulemaking 25-11-005  
(Filed November 20, 2025)

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**OPENING COMMENTS OF THE UTILITY REFORM NETWORK ON  
ADMINISTRATIVE LAW JUDGE'S RULING REQUESTING ADDITIONAL  
COMMENT ON THE STAFF PROPOSAL ON LIFELINE SPECIFIC SUPPORT  
AMOUNT AND MINIMUM SERVICE STANDARDS**



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## I. INTRODUCTION

Pursuant to Rule 6.2 of the Commission's Rules of Practice and Procedure, and *the May 24, 2026, Administrative Law Judge's Ruling Requesting Additional Comment on the Staff Proposal on LifeLine Specific Support Amount and Minimum Service Standards*, The Utility Reform Network (TURN) timely files these comments on the Ruling. TURN appreciates the opportunity to comment on LifeLine's non-usage rules, the state of LifeLine's wireless plans, how the Commission should collect and analyze data for its yearly review of the SSA, and why the Commission should limit copayments. The Commission has the opportunity to make the LifeLine program more robust and accessible for consumers. In doing so, it will help itself collect the information necessary to analyze the state of the LifeLine market in California and adjust Lifeline standards accordingly.

## II. DISCUSSION

- a. **Should the MSS for Standard Wireless Lifeline Plans Take into Account Actual Data Usage, for Example, by Incorporating Average Industrywide Wireless Data Consumption or Average Wireless Lifeline Participant Data Consumption? If so, What Data Source(S) Should Be Considered, and Why? If Another Measure is More Relevant, what is That Measure?**

TURN urges the Commission to factor actual data usage into its calculations when setting the LifeLine programs minimum service standards (MSS). As TURN has argued in the past, the Commission cannot relegate LifeLine subscribers to a second class of service simply because they participate in an affordability program.<sup>1</sup> As such, the Commission should examine the data consumption of both LifeLine subscribers *and* mobile users in general.

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<sup>1</sup> See Reply Comments of the Utility Reform Network on the Staff Proposal on Lifeline Specifics Support Amount and Minimum Service Standards (filed Feb. 9, 2026) at 5.

The National Lifeline Association (NaLA) found in their 2024 report, about 30% of federal Lifeline subscribers found that 20 GBs of data was what was needed to meet their monthly needs.<sup>2</sup> The Commission should further examine the expressed needs of low-income consumers by collecting actual usage data. In comparison, the Commission’s Staff Proposal proposes two tiers exceeding 20 GBs of data per month, and each has a copay associated with it.<sup>3</sup> The proposed zero copay plans range from 6 GBs to 15 GBs per month.

First, the Commission could look to the Federal Communications Commission’s (FCC) biennial Communications Marketplace report for provider reported mobile wireless data.<sup>4</sup> For example, in the FCC’s 2024 report they found that in 2023, the average mobile data usage per subscriber was 15.3 GBs for plans with a data cap and 15.5 for plans without.<sup>5</sup> While these averages are not much higher than the proposed zero copay plan with the greatest data allowance, the Commission outlined in the Staff Proposal, the likelihood of data needs increasing over time is high. Based on this information, the Commission could adopt the MSS tiers proposed in the Staff Proposal but would need to be prepared to further increase the MSS within a few years.<sup>6</sup>

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<sup>2</sup> See NaLA, 2024 Annual Consumer Survey, Jan. 2025, available at <https://eqm2782zctq.exactdn.com/wpcontent/uploads/2025/01/NaLA-Annual-Consumer-Survey-CORRECTED-1.31.25.pdf>, at p. 9 (2024 NaLA Survey). (“20 GB or more” was the second most common response after “I am not sure” to the question of how much data the respondent’s household needed in a month).

<sup>3</sup> See California Public Utilities Commission, Staff Proposal on LifeLine Specific Support Amount and Minimum Service Standards (Nov. 3, 2025) at 16.

<sup>4</sup> See generally, Federal Communications Commission, 2024 Communications Marketplace Report (Dec. 31, 2024), <https://docs.fcc.gov/public/attachments/FCC-24-136A1.pdf>.

<sup>5</sup> *Id.* at 56.

<sup>6</sup> The last time the Commission adjusted the MSS, it also cited FCC data that average data market consumption was less than a gigabyte higher (6.6 GB) than one of the adopted data MSS for the Standard Plan (6 GB). D.20-10-006 (issued in R.20-02-008 on Oct. 16, 2020) at FOF 4, Attachment 1.

Further, industry organizations such as USTelecom, CTIA, and Ericsson release annual reports on the state of the mobile marketplace, both nationally and globally.<sup>7</sup> While these reports may not give direct analysis of the *California* mobile market, they are sources of aggregated data that can reveal trends and patterns the Commission can apply to the LifeLine program to better meet the needs of subscribers. However, the Commission should prioritize collection and analysis of California-specific data whenever feasible to ensure that LifeLine service continues to meet the minimum communications needs of California residents.<sup>8</sup>

Finally, the Commission should consider what sources of data it is able to generate itself. Given that LifeLine service providers must already submit advice letters outlining plan pricing, Staff could create a database that would give the Commission a clear, ongoing look at how LifeLine plans have varied over the years. In so doing, the Commission could facilitate review of the MSS and SSA by frontloading the bulk of the data collection work and could monitor developing trends in LifeLine plans.

**b. What framework should the Commission adopt for staff to apply to update the wireless SSA and MSS each year?**

To annually modify the SSA and MSS, the Commission should create a framework that sets the SSA and MSS based on an analysis of both current, approved LifeLine plans and a market analysis of the prepaid and postpaid markets. As TURN has stated previously, Lifeline is not and is not and should not be thought of as a second-class service for “second-class”

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<sup>7</sup> See Arthur Menko, 2026 Broadband Pricing Index (May 2026), [https://ustelecom.org/wp-content/uploads/2026/05/2026-USTelecom-Broadband-Pricing-Index.pdf?utm\\_campaign=Newsletters&utm\\_medium=email&utm\\_source=sendgrid](https://ustelecom.org/wp-content/uploads/2026/05/2026-USTelecom-Broadband-Pricing-Index.pdf?utm_campaign=Newsletters&utm_medium=email&utm_source=sendgrid); Ericsson, Mobility Report (June 2024) <https://www.ericsson.com/49ed78/assets/local/reports-papers/mobility-report/documents/2024/ericsson-mobility-report-june-2024.pdf>; See also CTIA, 2025 Annual Survey Highlights (Sept. 8, 2025), <https://www.ctia.org/news/2025-annual-survey-highlights>.

<sup>8</sup> See Cal. Pub. Util. Code § 873(a)(1).

consumers. If the Commission bases its analysis on the currently available plans both for LifeLine *and* on the open market, it can ensure that LifeLine continues to meet or beat what is available on the open market. Considering the open market is also crucial to prevent LifeLine providers from being able to manipulate the SSA and MSS based on the LifeLine plans they choose to offer. To a lesser degree, the framework should also require the analysis and evaluation of other reputable sources on mobile data consumption and the SSA and MSS of other states' LifeLine programs.

To the extent that the Commission needs to determine wireline broadband SSA and MSS, it should look first to the FCC's broadband speed benchmark and federal Lifeline MSS, as it has already done for the Home Broadband Pilot.<sup>9</sup> Data from the Home Broadband Pilot should also inform the SSA and MSS for any LifeLine-supported standalone broadband offerings in the near future.

Once the Commission approves the first SSA and MSS under the new framework, Staff would continue ongoing data collection and analysis but could use utilize the previous year's SSA and MSS to provide the base for a proposal that Staff can modify when data collection and analysis is complete. This framework would provide the Commission with the opportunity to fulfill its statutory obligation while reducing repetitive work on the part of Staff.

**c. What procedural mechanism(s) should the Commission use to update the wireline and wireless SSA/MSS each year to ensure compliance with Public Utilities Code section 873 and due process considerations?**

Procedurally, there are a few changes the Commission can make in order to ensure compliance with Section 873 of the Public Utilities Code.

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<sup>9</sup> D.25-08-050 (issued in R.20-02-008 on Sept. 4, 2025) at 24, FOFs 22-23.

First, the Commission should adjust the definition of “Specific Support Amount” in Section 2.47 of G.O. 153-A to read as follows:

“Specific Support Amount (SSA)”– A maximum support amount reimbursed to California LifeLine Service Providers for the monthly recurring charge of California LifeLine Service to Subscribers. The SSA ~~may be~~ is reviewed and, if necessary, adjusted annually by the Commission.

This modification would align G.O. 153-A with Section 873, which states that the Commission *shall* annually set the rates and charges for the designated class of LifeLine service necessary to meet minimum communications needs.<sup>10</sup> Changing the language in G.O. 153-A to reflect the obligation set forth in Section 873 aligns the Commission’s statutory requirements with the LifeLine program’s goals to achieve and maintain universal service.<sup>11</sup> Further, including “if necessary” provides the Commission and Staff the flexibility to perform its review and conclude whether an adjustment is warranted that year or not. Section 873 does not require the Commission to make annual changes to the SSA, simply to “set” the rates and charges,<sup>12</sup> which may take the form of continuing a prior year’s SSA.

Second, to facilitate future data collection, TURN recommends that the Commission move the “Data Requests and Reports” section of Appendix B from the appendix into Section 13 Audits and Records. The Commission should also strike specific references to “Fixed-VoIP” in that section to clarify that all California LifeLine service providers must respond to Staff data requests in a timely manner. In doing so, the Commission expands the breadth of data it can request from all providers to help in future LifeLine market analysis.

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<sup>10</sup> Cal. Pub. Util. Code § 873(a)(1)-(2).

<sup>11</sup> See Cal. Pub. Util. Code § 871.7(a).

<sup>12</sup> *Id.* at § 873(a)(2).

With these changes, the Commission positions itself to better undertake the actions required under Section 873 of the Public Utilities Code.

**d. Should the Commission limit copays for wireless LifeLine plans, including copays for the cost of additional data in wireless plans, and if so, how should the Commission determine copay ceilings?**

In the Staff Proposal, the Commission relies on its Affordability Ratios as a tool to determine whether copays of \$5, \$10, \$15, and \$25 would be reasonable for households across California.<sup>13</sup> The Staff Proposal found that in three of the six Public Use Microdata Areas that Staff examined, any copay would be too high for a consumer to be able to purchase service.<sup>14</sup>

TURN supports the development of multiple tiers of wireless SSA, including some with co-pays, but cautions that *all tiers* must meet minimum communications needs.<sup>15</sup> Any erosion of the MSS zero-copay plans resulting in a lower data allowance will highlight the disparities between paid and unpaid LifeLine plans. In doing so, the Commission will inadvertently be creating two classes of service: one for those who can pay, and a lesser one for those who cannot. Second, as TURN discussed above, 30% of federal Lifeline subscribers polled by the National Lifeline Association noted that 20 GB would be enough to get them through the month.<sup>16</sup> Only 8% stated that 6 GB would be sufficient to get them through the month.<sup>17</sup>

TURN has argued the Commission should place a cap on wireline copays,<sup>18</sup> and while cost concerns are not necessarily as acute for wireless subscribers, as they have no minimum copay, concerns about affordability are still present for wireless subscribers. Establishing wireless copay limits ensure that consumers are not priced out of LifeLine service because of

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<sup>13</sup> See Staff Proposal at 12-13.

<sup>14</sup> *Id.*

<sup>15</sup> Cal. Pub. Util. Code § 873(a)(1).

<sup>16</sup> See *supra* note 2.

<sup>17</sup> 2024 NaLA Survey at 9.

<sup>18</sup> TURN Staff Proposal Opening Comments at 15-16.

increasing copays. The Commission should also continue to use affordability metrics like the Affordability Ratios to provide a clear and consistent assessment of whether copayments are affordable. In so doing, the Commission promotes services that will meet a consumer's needs without them facing the possibility of losing service later due to increasing costs. TURN continues to support the Staff Proposal's Recommendation that subscribers on a plan with a copay would be moved to a zero-copay plan if they cannot pay their copay instead of losing their service for non-payment.<sup>19</sup>

- e. **Should the Commission prohibit wireless service providers from receiving subsidies for plans with greater data allowances than those required by plans with capped copays if such providers do not offer plans with capped copays, to ensure that plans with greater data allowances are available at more affordable rates to participants (e.g., Tiers 4 and 5 in the Staff Proposal)?**

TURN understands the Commission's concerns with the potential for increasing copays to price LifeLine subscribers out of uncapped copay plans. However, choosing which plans can be subsidized and which are not will likely lead to increased consumer confusion and unintended consequences for those subscribers on plans with uncapped co-pays if those plan were to become unsubsidized.

In lieu of refusing to subsidize any uncapped plans, the Commission should require LifeLine providers to inform consumers whether a particular plan has a copay, if that copay is capped, and if it is not capped, the price per additional GB of data and how a subscriber can check their monthly data consumption.<sup>20</sup> This additional information can assist a subscriber in making an informed plan selection and will ensure that they are not taken unaware by an increase in their bill if the price increases. This information can also help subscribers monitor their data

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<sup>19</sup> Staff Proposal at 20.

<sup>20</sup> This information would be in addition to the requirement to explain that zero-copay plans are also available. *See* Staff Proposal at 16-17.

consumption and plan for any future plan transfers to ensure that they can continue service that meets their technical and budgetary needs.

- f. If wireless market rate data – for either the general marketplace or the LifeLine marketplace – indicate that lower tiered retail plans (that is, all other things being equal, those plans offering fewer gigabytes of (GB) data per month) have greater dollar per GB retail rates than higher tiered plans, should the Commission incorporate these dynamics into its market analyses and if so, how?**

If market data indicates such a trend in price per GB of data, the Commission should adopt SSA and MSS that reflect that trend, as the Commission should be setting the SSA so that it matches or offers better value than the retail market.<sup>21</sup>

To incorporate these dynamics into its market analyses, the Commission and Staff should endeavor to analyze as much data as possible to determine the state of the wireless market and patterns or trends in service offerings. The LifeLine plans outlined in the Staff Proposal “beat the market” when compared to a provider’s retail offerings,<sup>22</sup> which TURN generally supports. In analyzing which types of plans have lower costs per GB, the Commission can reasonably adjust future SSA/MSS figures to both meet consumer needs and lower the expenditures from the LifeLine fund.

However, as TURN has cautioned before, the Commission must ensure that the MSS combined with the SSA does not preclude the participation of all but facilities-based wireless providers.<sup>23</sup> If the trend in price per GB of data persists across all types of providers, the Commission should continue to reflect it in the wireline MSS and SSA. Using the cost per GB

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<sup>21</sup> Opening Comments of TURN on the Staff Proposal on LifeLine Specific Support Amount and Minimum Service Standards (filed Jan. 9, 2026) at 4. (TURN SSA Opening Comments)

<sup>22</sup> See Staff Proposal at 9-10, 16.

<sup>23</sup> See TURN SSA Opening Comments at 4.

model for plan analysis can also reveal technologies and types of providers are offering the fastest speeds for the lowest prices.

- g. To what extent, if at all, must the copay for a LifeLine subsidized wireline plan in which a voice service is offered alongside a broadband service (e.g., the Staff Proposal’s wireline Tier B proposal) comply with Public Utilities Code section 874?**

TURN has no comment on this question at this time but reserves the right to provide comments on reply.

- h. Commenters raise concerns regarding the proposed activation/connection charge support reduction and its possible impact on the availability of free devices for LifeLine subscribers. 3 Does the Commission have authority to directly subsidize devices through the California LifeLine Program? If so, what parameters and requirements should the Commission place on these subsidies?**

While the Moore act does not provide an explicit authorization to subsidize devices, there may be avenues the Commission can explore to offer devices. Section 873(b) defines minimum communication needs to include the ability to originate calls and the ability to access electronic information services.<sup>24</sup> While a voice or bundled voice and broadband plan is one step of the process, these connections are relatively worthless if the subscriber does not have a device with which to use their service. Relatedly, TURN understands that it is the intent of the Legislature to assist in bridging the digital divide through expanding access to new technologies by low-income, disabled, or otherwise disadvantaged California residents.<sup>25</sup> As stated, a broadband or wireless connection is only one part of technology adoption. According to the Pew Charitable Research Center, 16% of adults are “smartphone dependent,” which means they have a

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<sup>24</sup> Cal. Pub. Util. Code § 873(b).

<sup>25</sup> See Cal. Pub. Util. Code § 871.7(c)(4).

smartphone but no home broadband connection.<sup>26</sup> When broken out by income, 33% of Americans making below \$30,000 per year are dependent on their smartphone, versus 4% for those making more than \$100,000 per year.<sup>27</sup> Smartphones have become synonymous with communications and connection.

However, as a practical matter, adding devices to the program is likely to cause a significant increase in the costs and administrative complexity of the program. The Commission must carefully weight this cost against the potential benefits of access to a free device while also considering the avenues LifeLine service providers are currently using to support free device offerings. Part of the Commission's consideration should include a cost analysis that accounts for other, recent changes to the program.<sup>28</sup> Similarly, if the Commission were to subsidize devices for LifeLine subscribers, it would need to be sure that subsidized devices are compatible with prevailing network technologies and comparable to non-subsidized devices in computing power and features. If not, the Commission risks creating a second class of devices—and, effectively, service—for low-income households.

**i. Turn's Response to Questions Nine Through Twelve.**

TURN has no comment on these questions at this time but reserves the right to provide comments on reply.

Additionally, as it pertains to question ten, TURN believes any information submitted by providers will be relevant to our and other intervenors' work and recommendations in this proceeding. TURN urges the Commission to issue a protective order in this proceeding so that

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<sup>26</sup> Colleen McClain and William Bishop, What we know about internet use, smartphone ownership and digital divides in the U.S., Pew Research Center (Jan. 8, 2026), <https://www.pewresearch.org/short-reads/2026/01/08/internet-use-smartphone-ownership-digital-divides-in-u-s/>.

<sup>27</sup> *Id.*

<sup>28</sup> *See* Opening Comments of the Public Advocates Office on Order Instituting Rulemaking to Update the California LifeLine Program (filed Jan. 26, 2026) at 1-5.

intervenors can access data to inform their recommendations without needing to negotiate individual non-disclosure agreements with individual LifeLine service providers.

### **III. CONCLUSION**

TURN appreciates the Commission's continued work in updating the SSA and MSS. TURN looks forward to addressing these issues further on reply.

Respectfully Submitted,

Dated: May 26, 2026

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