

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



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

R. 24-06-012  
(June 10, 2026)

**COMMENTS OF  
FRONTIER CALIFORNIA INC. (U 1002 C)  
CITIZENS TELECOMMUNICATIONS COMPANY OF CALIFORNIA INC.  
DBA FRONTIER COMMUNICATIONS OF CALIFORNIA (U 1024 C)  
FRONTIER COMMUNICATIONS OF THE SOUTHWEST INC. (U 1026 C)  
("FRONTIER")  
ON ADMINISTRATIVE LAW JUDGE'S MAY 28, 2026 RULING**

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## I. INTRODUCTION

Pursuant to the Administrative Law Judge’s (“ALJ”) ruling dated May 28, 2026, soliciting comments on the impact of Federal Communications Commission (“FCC”) Section 214 service discontinuance rules changes on the Commission’s carrier of last resort (“COLR”) rules (“Ruling”),<sup>1</sup> Frontier, a Verizon company,<sup>2</sup> respectfully submit these comments.

Frontier appreciates this opportunity to provide its thoughts on the impact of the FCC *Network Modernization Order*<sup>3</sup> on the Commission’s COLR rules.<sup>4</sup> As Frontier explains below, that order provides an FCC-supervised path to eliminating outdated, wasteful copper-focused legacy voice services while maintaining communications services for customers. The order precludes any meaningful role for the current COLR rules, and the Commission should confirm this by repealing these rules and stating that the decisions imposing such requirements are no longer applicable to the extent that they conflict with the FCC’s directives.

The Commission adopted its COLR rules thirty years ago,<sup>5</sup> prior to widespread all-distance voice competition.<sup>6</sup> The rules met the needs of an era in which the voice service offered by incumbent

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<sup>1</sup> See *Order Instituting Rulemaking Proceeding to Consider Changes to the Commission’s Carrier of Last Resort Rules*, Administrative Law Judge’s Ruling Soliciting Comments on FCC Section 214 Service Discontinuance Rules Change Impact, R.24-06-012 (May 28, 2026).

<sup>2</sup> “Frontier” refers to the three Incumbent Local Exchange Carriers (“ILECs”) operating in California under the name Frontier: Frontier California Inc. (U 1002 C), Citizens Telecommunications Company of California Inc. dba. Frontier Communications of California (U 1024 C), and Frontier Communications of The Southwest Inc. (U 1026 C). Each of these ILECs is now a wholly owned subsidiary of Verizon Communications, Inc.

<sup>3</sup> *Reducing Barriers to Network Improvements and Service Changes et al.*, Report and Order, FCC 26-19 (rel. Mar. 27, 2026), <https://docs.fcc.gov/public/attachments/FCC-26-19A1.pdf> (“*Network Modernization Order*”).

<sup>4</sup> In responding to the Ruling, Frontier has revisited its positions in light of the FCC’s *Network Modernization Order* and the transfer of control to Verizon Communications, Inc. approved in D.26-01-023. The response offered herein is provided based on Frontier’s current understanding of the Commission’s rules and the ramifications of the FCC’s *Network Modernization Order* as applied to those rules.

<sup>5</sup> See generally *Universal Service and Compliance with the Mandates of Assembly Bill 3643*, D.96-10-066, 68 CPUC 2d 524 (Cal. P.U.C. Oct. 25, 1996).

<sup>6</sup> See generally *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 et al.*, First Report and Order, 11 FCC Rcd 15499, 15505 ¶ 1 (1996), <https://docs.fcc.gov/public/attachments/FCC-96->

providers over their copper networks was irreplaceable. Today’s communications marketplace is completely different. Consumers today have an unprecedented array of voice and broadband choices, offered by providers over their own networks, using modern technologies such as fiber and wireless. In the context of voice services, consumers overwhelmingly choose mobile wireless and Voice over Internet Protocol (“VoIP”) over plain old telephone service (“POTS”), leaving copper networks that transmit POTS largely unutilized.<sup>7</sup> Customers also no longer need outdated basic service features like directory and operator services, which remain elements of California’s COLR requirements.

Despite these dynamics, the Commission’s COLR rules persist. Although the Commission has described the COLR rules as technologically neutral, absent significant clarifications or modifications to the rules, Frontier could not freely and immediately replace copper-based “basic” service with popular wireless voice options, even where the FCC has approved those options as adequate replacements. The COLR construct therefore singles out a subset of competitors to continue to provide outdated services, contrary to federal policy. Particularly in areas where fiber networks are not cost-effective—but non-wireline service platforms could meet customer needs—the rules can also have the practical consequence of forcing carriers to retain copper networks. Under the COLR rules, Frontier must maintain ubiquitous service in its legacy service area, even as the voice marketplace is highly competitive. Because of these burdens, which apply exclusively to incumbent providers, COLR rules harm competition.

The FCC’s *Network Modernization Order* creates a careful framework for the discontinuance of POTS and other outdated services, thereby freeing carriers from the services that, in practice, tie them to

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[325A1.pdf](#) (“The Telecommunications Act of 1996 fundamentally changes telecommunications regulation. In the old regulatory regime government encouraged monopolies. In the new regulatory regime, we and the states remove the outdated barriers that protect monopolies from competition . . .”).

<sup>7</sup> Traditional voice services that transmit calls within the public switched telecommunications network using time division multiplexing, colloquially known as POTS, can appear under different names.

their antiquated copper networks. The FCC’s framework ensures that consumers will retain access to an adequate replacement voice service and essential services like 911. Applying the express text of the governing federal statute and preemption principles, the *Network Modernization Order* makes clear that FCC approval alone is all that is required to allow a carrier to discontinue jurisdictionally mixed services such as POTS.<sup>8</sup> This transformative new framework is wholly consistent with universal service principles, making it easier for providers to fund the extension of broadband networks while ensuring that voice service remains available. The Commission should confirm that consistent with federal law, once carriers obtain FCC approval, they need not go through additional state COLR-related processes to replace copper-based POTS with an FCC-approved service platform, including wireless alternatives. This result will free up resources that can be invested in modern services, improve energy efficiency, and reduce opportunities for copper theft.

In sum, the Commission should help California consumers by acting expeditiously to eliminate its COLR requirements in accordance with federal law.

## **II. CALIFORNIA’S COLR REQUIREMENTS HINDER THE SHARED GOAL OF IMPROVED CONNECTIVITY.**

The Commission is rightly focused on improving connectivity for all California communities.<sup>9</sup> But California’s COLR requirements impede that goal. Recent marketplace transformations illustrate

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<sup>8</sup> See *Network Modernization Order* ¶ 114 (stating that “where the [FCC] has exercised its section 214 discontinuance authority over interstate and/or jurisdictionally mixed services to allow a carrier to discontinue legacy voice service, state requirements that operate to require the carrier to continue providing those services conflict with federal law”).

<sup>9</sup> See, e.g., *Broadband Infrastructure Deployment Proceeding*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-infrastructure-deployment> (last visited June 10, 2026) (stating that the Commission is focused on “expeditiously deploy[ing] reliable, fast, and affordable broadband internet access services that connect all Californians”); *Order Instituting Rulemaking Regarding Broadband Infrastructure Deployment and to Support Service Providers in the State of California*, Order Instituting Rulemaking, R.20-09-001, at 3 (2020) (“It is state policy to promote universal and ubiquitous access to advanced telecommunications technologies and services for all Californians.”).

that unleashing investment is the best means of giving communities more choice, higher quality, and more affordable connectivity options for voice and broadband alike.

**Voice.** Consumers today have a plethora of options for voice services. In 2024, the FCC found that “[a]lthough the public switched telephone network was once the only means to connect, there now exists a multitude of other voice service options for consumers in the United States.”<sup>10</sup> While consumers have many options, they overwhelmingly choose wireless voice. Almost four out of five U.S. adults use wireless-only for voice, with less than 4% of U.S. adults preferring landlines for phone calls.<sup>11</sup> According to the latest FCC data, over 83% of U.S. voice telephone connections are mobile.<sup>12</sup> In California that figure is close to 85%.<sup>13</sup> Even for the subset of Californians that retain a landline voice service at home or in the office, 83% of those lines are interconnected VoIP and not POTS.<sup>14</sup> In just three years, the number of POTS lines nationwide has declined nearly by half.<sup>15</sup> The FCC has acknowledged on a bipartisan basis that “[t]he future is IP-based.”<sup>16</sup>

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<sup>10</sup> *Communications Marketplace Report, 2024 Communications Marketplace Report*, 39 FCC Rcd 14116, 14232 ¶ 154 (2024), <https://docs.fcc.gov/public/attachments/FCC-24-136A1.pdf>.

<sup>11</sup> Dr. Stephen J. Blumberg & Dr. Julian V. Lake, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July-December 2024*, NATIONAL CENTER OF HEALTH STATISTICS, at 4–5 (June 2025), <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202506.pdf> (2.3 percent of adults identifying as landline-mostly and 1.4 percent of adults identifying as landline-only).

<sup>12</sup> *Voice Telephone Services: Status as of June 30, 2025*, FCC, INDUSTRY ANALYSIS DIVISION, OFFICE OF ECONOMICS AND ANALYTICS, at 2 (May 2026), <https://docs.fcc.gov/public/attachments/DOC-421558A1.pdf> (“Voice Telephone Services: Status as of June 30, 2025”).

<sup>13</sup> FCC, *Voice Telephone Services Report*, Table S.1, Voice Subscriptions (in Thousands) – California, [https://www.fcc.gov/sites/default/files/VTS\\_State\\_Subscriptions\\_J24\\_to\\_J25.xlsx](https://www.fcc.gov/sites/default/files/VTS_State_Subscriptions_J24_to_J25.xlsx).

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

<sup>15</sup> *Voice Telephone Services: Status as of June 30, 2025* at 2.

<sup>16</sup> *Network Modernization Order*, Statement of Commissioner Anna M. Gomez; *see also* Testimony of Chairman Brendan Carr, FCC, Before the Subcomm. on Comm’n & Tech. of the U.S. H. of Rep. Comm. on Energy & Com. (Jan. 14, 2026), <https://docs.fcc.gov/public/attachments/DOC-418048A1.pdf> (“[We are] making it easier for providers to retire slow and old copper lines and replace them with the modern, highspeed ones that consumers want.”).

**Broadband.** The vibrant and robust broadband marketplace tells a similar story: when providers compete, consumers benefit. Spurred by intense competition and sustained investment in broadband networks, prices are down and speeds are up.<sup>17</sup> From 2014 to 2025, overall consumer prices in the economy increased 36.0% but the prices for the most popular broadband services declined 63.9% in real terms.<sup>18</sup> Broadband providers continue to expand their networks to reach more Californians, with over 97% of households having access to fixed speeds of at least 100/20 Mbps and about two million households gaining access to 1000/100 during 2025 according to FCC data.<sup>19</sup> Broadband providers invested almost \$90 billion in U.S. communications infrastructure in 2024 alone.<sup>20</sup> This private investment is bolstered by state and federal programs such as the national Broadband, Equity, Access, and Deployment Program<sup>21</sup> and California initiatives.<sup>22</sup> Moreover, the emergence of 5G home

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<sup>17</sup> See, e.g., Comments of CTIA, GN Docket No. 26-78, at i-ii (May 21, 2026), <https://www.fcc.gov/ecfs/document/105222486629217/1>; Comments of NCTA – The Internet & Television Association, GN Docket No. 26-78, at 6-10 (May 21, 2026), <https://www.fcc.gov/ecfs/document/105212518424645/1>; Comments of USTelecom – The Broadband Association, GN Docket No. 26-78, at 2-3 (May 21, 2026) (“USTelecom CMR Comments”), <https://www.fcc.gov/ecfs/document/1052134079892/1> (discussing general trends in each case).

<sup>18</sup> USTelecom CMR Comments at 2.

<sup>19</sup> *FCC National Broadband Map*, FCC, [https://broadbandmap.fcc.gov/area-summary/fixed?version=dec2025&geoid=06&type=state&zoom=5.10&vlon=-119.306607&vlat=37.418961&br=r&speed=100\\_20&tech=1\\_2\\_3\\_6\\_7](https://broadbandmap.fcc.gov/area-summary/fixed?version=dec2025&geoid=06&type=state&zoom=5.10&vlon=-119.306607&vlat=37.418961&br=r&speed=100_20&tech=1_2_3_6_7) (last visited June 10, 2026) (showing Fixed Broadband data as of December 31, 2025); *id.*, [https://broadbandmap.fcc.gov/area-summary/fixed?version=dec2024&geoid=06&type=state&zoom=5.10&vlon=-119.306607&vlat=37.418961&br=r&speed=100\\_20&tech=1\\_2\\_3\\_6\\_7](https://broadbandmap.fcc.gov/area-summary/fixed?version=dec2024&geoid=06&type=state&zoom=5.10&vlon=-119.306607&vlat=37.418961&br=r&speed=100_20&tech=1_2_3_6_7) (showing Fixed Broadband data as of December 31, 2024).

<sup>20</sup> See News Release, USTelecom, New Report: Broadband Providers Invested Nearly \$90 billion in 2024 (Oct. 21, 2025), <https://ustelecom.org/new-report-broadband-providers-invested-nearly-90-billion-in-2024-driving-connectivity-innovation-and-opportunity-nationwide/?tid=All>.

<sup>21</sup> See *California Broadband Equity, Access, and Deployment (BEAD) Program*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/beadprogram> (last visited June 10, 2026).

<sup>22</sup> See, e.g., *Last Mile Federal Funding Account*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/last-mile-federal-funding-account> (last visited June 10, 2026); *CASF Broadband Infrastructure Grant Account*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/california-advanced-services-fund/casf-infrastructure-grant>.

broadband and low-Earth orbit satellite has led to meaningful new choices in the marketplace, including in areas that are difficult to reach by wired connection.<sup>23</sup> In 2024, for the third year in a row, 99% of new home broadband subscribers chose 5G, with 3.7 million additional 5G home subscriptions.<sup>24</sup>

Across the United States, fixed wireless access customers—particularly Verizon’s millions of wireless home customers—are the happiest with their service, while DSL copper customers are the unhappiest.<sup>25</sup>

With this backdrop of ever intensifying competition and continued infrastructure expansion, any COLR rule that stands in the way of implementing changes in accordance with FCC approval would be harmful to investment in the networks and services that consumers want. As a matter of process, the COLR rules require Frontier to obtain Commission permission through a cumbersome formal application procedure to withdraw as a COLR.<sup>26</sup> However, recent precedent suggests that that the Commission will not allow a carrier to relinquish its COLR obligations unless another carrier agrees to take its place.<sup>27</sup> In one recent case where a COLR (AT&T) sought to withdraw as a COLR and no other carrier was willing to assume the COLR obligations, the application was dismissed with prejudice and the COLR was barred from filing another application for relief from its COLR obligations until at least

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<sup>23</sup> See, e.g., News Release, *AT&T, T-Mobile, and Verizon Plan to launch new joint venture that helps end dead zones* (May 14, 2026), <https://www.verizon.com/about/news/feed/att-t-mobile-verizon-plan-launch-joint-venture-helps-end-dead-zones>.

<sup>24</sup> *2025 CTIA Annual Survey Highlights*, CTIA, at 6 (2025), <https://api.ctia.org/wp-content/uploads/2025/09/2025-Annual-Survey-Highlights.pdf>.

<sup>25</sup> *Fixed Wireless Access*, VERIZON, <https://www.verizon.com/about/fixed-wireless-access> (last visited June 10, 2026).

<sup>26</sup> *Order Instituting Rulemaking Regarding Revisions to the California High Cost Fund B Program*, Decision Adopting Basic Telephone Service Revisions, D.12-12-038, App’x C §§ 6.D.1, 6.D.5, 6.D.6.c (Dec. 20, 2012) (“D.12-12-038”).

<sup>27</sup> See, e.g., *Application of Pacific Bell Telephone Company d/b/a/ AT&T California (U1001C) for Targeted Relief from its Carrier of Last Resort Obligation and Certain Associated Tariff Obligations*, Decision Dismissing with Prejudice the Application of AT&T California to Withdraw as a Carrier of Last Resort, D.24-06-024, at 3, 5-6, 12-13, 21-22 (June 20, 2024) (“D.24-06-024”).

one year after the issuance of a decision closing the new Order Instituting Rulemaking.<sup>28</sup> Although the Commission opened this rulemaking proceeding to consider whether and how to modify the COLR rules,<sup>29</sup> this proceeding has already taken about two years and shows no signs thus far of yielding prompt, comprehensive modernizing reform.<sup>30</sup> The current COLR rules, in Frontier’s view, have several harmful effects on consumers in California:

**Copper.** First and most importantly, to the extent that COLR rules prevent or impede the transition away from traditional wireline service, such requirement has the practical effect of locking Frontier into maintaining copper in many areas. The Commission has described its rules as “technologically and competitively neutral,”<sup>31</sup> and it has rejected the view that its COLR rules require copper,<sup>32</sup> emphasizing that its rules leave COLRs free to invest in alternative technologies.<sup>33</sup> But the practical realities of how the Commission has treated non-wireline alternatives undermine the value of that theoretical freedom.<sup>34</sup> Because of the financial infeasibility of deploying fiber at all locations presently served by copper, copper must, in effect, remain under the Commission’s current framework.

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<sup>28</sup> See *id.* at 18, 21-22, 26.

<sup>29</sup> See *Order Instituting Rulemaking Proceeding to Consider Changes to the Commission’s Carrier of Last Resort Rules*, R.24-06-012 (Issued June 28, 2024).

<sup>30</sup> While Frontier previously endorsed the joint AT&T-Cal Advocates reform proposal in response to the rulemaking as a way to make incremental progress toward COLR relinquishment—see, e.g., Opening Comments of Frontier on Administrative Law Judge’s March 25, 2026 Ruling on Comments to Joint Proposal of AT&T California and Cal Advocates, R.24-06-012 (Apr. 24, 2026); Reply Comments of Frontier on Administrative Law Judge’s March 25, 2026 Ruling, R.24-06-012 (May 1, 2026)—the FCC’s preemption findings in the *Network Modernization Order* have cleared the field and now warrant comprehensive change.

<sup>31</sup> D.12-12-038 at 13.

<sup>32</sup> D.24-06-024, at 22-23.

<sup>33</sup> *Id.* at 23.

<sup>34</sup> See generally *id.* at 18 (identifying that AT&T suggested AT&T, T-Mobile, and Verizon mobile voice as potential replacements but “these companies may not even be able to meet th[e] requirement” to “offer voice service to everyone that requests it”); *Application of Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C) to Relinquish Its Eligible Telecommunications Carrier Designation*, Decision Denying in Part Pacific Bell Telephone Company d/b/a AT&T California’s Application to Relinquish Eligible Telecommunications Carrier Designation, D.25-12-004, at 62 (Dec. 4, 2025) (“Due to limitations of wireless signal propagation, the

Absent this outdated regulatory approach, a provider could rely on the full array of modern service alternatives. But the COLR rules require Commission approval through an onerous Tier 3 advice letter process for any non-wireline replacement that does not meet service quality criteria built for wireline networks,<sup>35</sup> and Frontier anticipates that approval may be challenging to obtain or even practically unavailable. The current COLR rules state that “[u]ntil the Commission determines the extent to which new service quality standards should be adopted for carriers, a provider that wishes to offer basic service utilizing anything other than traditional exchange-based wireline technology that cannot comply with all the requirements of General Order 133-C must file a Tier 3 advice letter,” and that “[t]his filing must indicate what General Order 133-C service quality measurements and reporting procedures it can comply with.”<sup>36</sup> A Tier 3 advice letter requires a Commission resolution and a full vote of the Commission.<sup>37</sup> Experience has shown that this would likely mean years of contentious process with an uncertain result at the end, delaying the decommissioning of copper and denying consumers access to modern alternatives. It appears that approval would not currently be available for Verizon mobile wireless, given the Commission’s statement in response to AT&T’s application for COLR relief that “[t]he alternatives for voice service that AT&T claims can replace its COLR service – including . . . mobile voice providers such as Verizon, T-Mobile, and AT&T Mobility – do not meet the definition of a COLR.”<sup>38</sup> This view, that the Commission may not welcome non-wireline solutions, is bolstered by the Commission’s web page describing AT&T’s COLR application, which states that “[a]n

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Commission has expressed reservations repeatedly about the ability of wireless ETCs to serve their entire approved service territory.”).

<sup>35</sup> D.12-12-038, App’x A § II(e).

<sup>36</sup> *Id.* § II(e)-(f).

<sup>37</sup> *See generally* Gen. Order 96-B.

<sup>38</sup> D.24-06-024 at 18 (footnote omitted); *see also id.* at 18-19 (stating that commenters questioned the ubiquity of mobile coverage and noting that the entities in question did not apply to be COLRs).

area without a COLR could mean that there would be no landline telephone company serving that area and that there could possibly be no landline telephone access for customers in that area.”<sup>39</sup>

Thus, while COLR formally requires a service (“basic service” or POTS) rather than facilities, Frontier understands it to inhibit or even preclude it from relying on its own non-fiber replacements. AT&T failed to find a third-party COLR to replace it,<sup>40</sup> and Frontier has no reason to expect a different outcome in its case. In Frontier’s view, this means it must continue to invest to maintain its copper network when that capital could be better invested elsewhere, including in modern technologies and services.

This situation is contrary to FCC policy and harms consumers. Consumers have made clear that they do not want copper-based services anymore. From 2014 to 2024, subscribers using copper last-mile connections fell 81%.<sup>41</sup> Copper is slow: the weighted mean *maximum* advertised download speed for residential DSL connections reported in December 2023 was approximately 33 Mbps<sup>42</sup>—a speed that is simply unsustainable in today’s modern life where consumers expect a broadband subscription to

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<sup>39</sup> *AT&T Applications Regarding Carrier of Last Resort and Eligible Telecommunications Carrier Designation*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/att-colr-etc-proceedings> (last visited June 10, 2026). Elsewhere, the Commission states that “COLR service can be delivered using any technology — like traditional landlines, internet-based phones, or wireless services (not just copper wire) — as long as it meets the state’s minimum service standards.” *Carrier of Last Resort (COLR) Rulemaking*, CALIFORNIA PUBLIC UTILITIES COMMISSION, <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/carrier-of-last-resort-rulemaking> (last visited June 10, 2026).

<sup>40</sup> D.24-06-024 at 19.

<sup>41</sup> Eric Fruits & Brian Albrecht, *Paying to Stand Still: Legacy Copper Mandates in a Fiber World*, INTERNATIONAL CENTER FOR LAW AND ECONOMICS (Feb. 27, 2026), <https://laweconcenter.org/resources/paying-to-stand-still-legacy-copper-mandates-in-a-fiber-world/> (“ICLE Report”) (reporting that subscribers have decreased from nearly 66 million in 2014 to just 12.5 million in 2024); *see also* Jonathan Spalter, *Introducing America’s Connected Future*, USTELECOM (Mar. 9, 2026), <https://ustelecom.org/introducing-americas-connected-future/> (“USTelecom Article”).

<sup>42</sup> *2024 Communications Marketplace Report* ¶ 16.

support video calls, virtual doctor appointments, and more.<sup>43</sup> Copper is also energy inefficient,<sup>44</sup> difficult to maintain,<sup>45</sup> and prone to theft.<sup>46</sup> A declining customer base makes copper more expensive to maintain on a per-customer basis,<sup>47</sup> meaning as time goes by Frontier feels it must waste resources to an ever-greater degree. Finally, the effective mandate to maintain copper to serve telecommunications networks denies access to a critical domestic supply of the metal for emerging industries that would rely on it.<sup>48</sup>

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<sup>43</sup> See *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, 2024 Section 706 Report, 39 FCC Rcd 3247, ¶ 22 (2024), <https://docs.fcc.gov/public/attachments/FCC-24-27A1.pdf> (adopting a speed benchmark of 100/20 Mbps “based on the current state of broadband needs, usage, and deployment”); Cal. S. Bill 156 § 7 (amending Pub. Util. Code § 281(f)(5) (stating that projects eligible for California grant awards “shall deploy infrastructure capable of providing broadband access at speeds of a minimum of 100 Mbps downstream”)).

<sup>44</sup> ICLE Report (finding that transitioning the remaining 12.5 million copper subscribers to modern alternatives would produce estimated energy-cost savings of \$398 million to \$830 million, and noting Verizon data highlighting that fiber-delivered broadband is at least 100 times more energy-efficient on a kWh-per-gigabyte basis than copper-delivered service).

<sup>45</sup> *Id.* (“Maintaining copper networks is economically unsustainable”); USTelecom Article (“Service restoration can often take weeks if not months because replacement parts are harder to find as manufacturers discontinue declining product lines.”).

<sup>46</sup> *Protecting Critical Communications Infrastructure Report – Fall 2025*, USTELECOM (Oct. 9, 2025), <https://ustelecom.org/research/protecting-critical-communication-infrastructure-report-fall-2025/> (reporting over 15,000 incidents of theft and vandalism between June 2024 – June 2025); Commissioner Oliva Britt Trusty, Remarks at the Copper Theft Crisis: Incident Management and Prosecutorial Collaboration Summit (Oct. 7, 2025), <https://docs.fcc.gov/public/attachments/DOC-415046A1.pdf> (citing Jasmine Mendez, *Copper thieves cut phone service to seniors in South L.A.*, L.A. TIMES (May 5, 2025), <https://www.latimes.com/california/story/2025-05-05/copper-wire-thefts-are-leaving-seniors-in-south-l-a-without-phone-service> (describing a copper theft incident in South Los Angeles that led to 82 arrests)); Edward J. Lopez, *The Real Costs of Communications Outages due to Infrastructure Threat or Vandalism*, NCTA (Oct. 2025), [https://protectcci.org/wp-content/uploads/2025/10/Economic-Impact-Study\\_1001\\_2025.pdf](https://protectcci.org/wp-content/uploads/2025/10/Economic-Impact-Study_1001_2025.pdf) (finding that between June and December 2024, outages caused by copper theft and vandalism cost society up to \$188 million in forgone economic gain); Hannah Fry, *Copper thieves leave 6th Street Bridge — the ‘Ribbon of Light’ — completely in the dark*, L.A. TIMES (June 13, 2024), <https://www.latimes.com/california/story/2024-06-13/sixth-street-bridge-no-lights-copper-wire-theft>.

<sup>47</sup> ICLE Report.

<sup>48</sup> *Copper in the Age of AI: Challenges of Electrification*, S&P GLOBAL ENERGY & MARKET INTELLIGENCE (Jan. 2026), [https://www.spglobal.com/content/dam/spglobal/global-assets/en/special-reports/copper-in-the-age-of-ai/Copper%20in%20the%20Age%20of%20AI\\_Full%20Report\\_January%202026.pdf](https://www.spglobal.com/content/dam/spglobal/global-assets/en/special-reports/copper-in-the-age-of-ai/Copper%20in%20the%20Age%20of%20AI_Full%20Report_January%202026.pdf); Letter from Linda Moore, President & CEO, TechNet, to House Committee on Natural Resources, Subcommittee on Energy & Mineral Resources (Apr. 27, 2026), <https://docs.house.gov/meetings/II/II06/20260429/119122/HHRG-119-II06-20260429-SD021.pdf>.

***Outdated Competitive Imbalance.*** The COLR concept is grounded in an outdated view of incumbent carriers' role in the voice marketplace further deters investment and thereby harms consumers. Verizon offers many consumers high-quality modern voice options over fixed wireless, mobile wireless, and/or fiber, as well as services such as Voice Connect and Wireless Home Phone.<sup>49</sup> At the same time, the *Network Modernization Order* permits carriers to rely on another company's service as the adequate replacement where it makes sense to do so, while the COLR rules effectively foreclose this option. The COLR rules also require Frontier to offer a "basic service" that includes backward-looking POTS features and functions that consumers no longer value, including "access to directory assistance within the customer's local community," the "option to receive a free white pages directory," and "free access to operator services."<sup>50</sup> These outdated rules do not apply to Frontier's competitors and consume resources that could instead be invested in modern services in locations where those investments will have the greatest marketplace impact.

***Tariffing.*** Beyond other requirements, the Commission's rules require a formal proceeding for a COLR to withdraw a "basic service" tariff.<sup>51</sup> This creates an additional potential veto point for discontinuing POTS, and, if copper must be retained to enable POTS, this is also a barrier to eliminating the underlying copper network. It also relies on an outdated price control model that is unnecessary and harmful to competition in a competitive marketplace.

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<sup>49</sup> See, e.g., *Voice Connect*, VERIZON, <https://www.verizon.com/support/residential/homephone/voice-connect>.

<sup>50</sup> D.12-12-038 at 3 ("A COLR must offer basic service to all residential customers within its designated service territory . . . ."); *id.*, App'x A at §§ I.3.a, I.3.d, I.9.

<sup>51</sup> *General Order 96-B*, Telecommunication Industry Rules 7.4 & 8.5, <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M023/K381/23381302.PDF>.

### **III. UNDER THE *NETWORK MODERNIZATION ORDER*, FCC DISCONTINUANCE APPROVAL IS SUFFICIENT TO AUTHORIZE WITHDRAWAL AS A COLR AND RETIRE COPPER NETWORKS USED FOR POTS.**

As discussed in detail below, the FCC acted definitively in the *Network Modernization Order* to streamline the discontinuance process nationwide in order to provide a predictable, clear path to eliminating copper networks while making sure no one is left behind.<sup>52</sup> The FCC effectively brought the regulatory environment in line with today’s communications marketplace by eliminating outdated requirements that no longer reflect the reality of today’s networks and services.<sup>53</sup> The FCC made clear that approval pursuant to its new rules is sufficient by itself to allow discontinuance of jurisdictionally mixed services, including POTS. This new framework promotes investment in modern technologies and ensures that an adequate replacement for voice service—one that includes access to critical services like 911—is available prior to permitting service discontinuance.<sup>54</sup>

#### **A. In the *Bipartisan Network Modernization Order*, the FCC Set Up a Balanced Discontinuance Framework to Streamline Network Modernization And Protect Consumers.**

In its *Network Modernization Order*, the FCC found that “the expansion of [ ] modern networks, and the benefits they afford, have been hindered by the need for carriers to divert important resources to the maintenance of aging and deteriorating legacy networks that deliver outdated services to an ever-decreasing number of subscribers.”<sup>55</sup> Recognizing that “red tape” has both “required providers to keep aging copper lines in place and effectively prevented them from investing in the modern infrastructure that Americans want and deserve,”<sup>56</sup> the FCC unanimously, and on a bipartisan basis, overhauled its

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<sup>52</sup> See generally *Network Modernization Order*.

<sup>53</sup> *Id.* ¶ 5.

<sup>54</sup> *Id.* ¶¶ 12, 37-38, 48, 67.

<sup>55</sup> *Id.* ¶ 2.

<sup>56</sup> *Id.* ¶ 1.

rules applicable to discontinuance applications under section 214 of the Communications Act of 1934, as amended (“federal Communications Act”).<sup>57</sup>

As a threshold matter, the FCC recognized that section 214 “creates an exclusively federal discontinuance regime for interstate or jurisdictionally mixed telecommunications services.”<sup>58</sup> It explained that under section 214(a), “[n]o carrier shall discontinue, reduce, or impair service to a community, or part of a community, without first ‘obtain[ing] from the Commission a certificate that neither the present nor future public convenience and necessity will be adversely affected thereby.’”<sup>59</sup> While states play a consultative role in that process,<sup>60</sup> the FCC alone “shall have power” to approve discontinuance and to “attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require.”<sup>61</sup> Notably, section 214(c) makes clear that after the issuance of such a certificate, “the carrier may, *without securing approval other than such certificate*, comply with the terms and conditions” and “proceed with the . . . discontinuance.”<sup>62</sup>

Applying this framework, the FCC adopted a set of “common sense reforms” that maintained “core consumer protections,”<sup>63</sup> with the goals of allowing providers to “invest more resources toward modernizing their networks”<sup>64</sup> and clearing away “state and local requirements” that “needlessly

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<sup>57</sup> *See id.* ¶ 6 (citing 47 U.S.C. § 214).

<sup>58</sup> *Id.* ¶ 108.

<sup>59</sup> *Id.* (quoting 47 U.S.C. § 214(a)).

<sup>60</sup> Under section 214(b), the FCC must ensure the provision of “notice” to “the Governor of each State . . . in which such discontinuance . . . of service is proposed, with the right to those notified to be heard.” 47 U.S.C. § 214(b); *see also* 47 C.F.R. § 63.71(a). Section 214(b) “allows states to object to any federal discontinuance application prior to any [FCC] authorization,” *Network Modernization Order* ¶ 110, but does not grant states any decisionmaking authority over the discontinuance of interstate or jurisdictionally mixed services. *See id.*

<sup>61</sup> 47 U.S.C. § 214(c).

<sup>62</sup> *Id.* (emphasis added); *see Cablevision of Tex. III, L.P. v. Okla. W. Tel. Co.*, 993 F.2d 208, 210 (10th Cir. 1993).

<sup>63</sup> *Network Modernization Order* ¶ 4.

<sup>64</sup> *Id.* ¶ 23.

constrain the deployment of modern, next-generation IP-based networks.”<sup>65</sup> Specifically, the FCC codified a prior grant of blanket section 214(a) authority permitting carriers to grandfather legacy voice service provided over copper wires—i.e., POTS—without filing a section 214(a) discontinuance application.<sup>66</sup> This authorization allows carriers to stop providing POTS to new customers.

Next, the FCC streamlined the discontinuance process,<sup>67</sup> including by identifying explicit categories of “adequate replacement services” that would support discontinuance while ensuring seamless 911 connectivity.<sup>68</sup> These include facilities-based VoIP, mobile wireless service, voice services supported by the FCC’s modernized high-cost programs, and other alternative voice services meeting FCC-specified criteria.<sup>69</sup> To ensure protection of consumers, the FCC retained the requirement that a carrier must seek FCC authorization for any discontinuance resulting from a copper retirement<sup>70</sup>—a process that allows customers, state regulators, and other interested parties to raise concerns and enables the FCC to “ensure that no consumers lose access to vital communications capabilities.”<sup>71</sup> As part of that process, carriers must notify customers of applications to discontinue service and provide customers with replacement service information, and must include pricing information in their discontinuance applications so that the FCC can evaluate the affordability of the replacement service.<sup>72</sup>

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<sup>65</sup> *Id.* ¶ 7.

<sup>66</sup> *See id.* ¶¶ 6, 15, 60–66.

<sup>67</sup> *See id.* ¶ 23.

<sup>68</sup> *Id.* ¶¶ 6, 23, 26–40, 48–49.

<sup>69</sup> *Id.* ¶¶ 26–40.

<sup>70</sup> *See id.* ¶ 12.

<sup>71</sup> *Id.* ¶ 81.

<sup>72</sup> *Id.* ¶¶ 45–46, 90–91.

This balanced federal discontinuance framework enables the FCC to make a comprehensive determination when reviewing a discontinuance application that “neither the present nor future public convenience and necessity will be adversely affected” by the change.<sup>73</sup>

**B. The FCC, Applying the Federal Communications Act and Preemption Principles, Made Clear that Its Approval Precludes Additional State Approval Requirements.**

Once the FCC grants approval to discontinue interstate or jurisdictionally mixed services, that determination is controlling as a matter of federal law and no other approval is required, as Congress set forth in section 214(c).<sup>74</sup> The FCC recognized that section 214(c) expressly preempts inconsistent state requirements: “where the [FCC] has lawfully exercised its section 214 authority to allow discontinuance of a service within its regulatory sphere, section 214(c) expressly provides that carriers do not require any other ‘approval’ to discontinue the covered service.”<sup>75</sup> As a consequence, “it is the [FCC] that has sole jurisdiction to decide whether a carrier’s proposed discontinuance adversely affects the public convenience and necessity and whether it should be approved or rejected,”<sup>76</sup> and “after a carrier obtains [FCC] authorization to discontinue a service, it need not obtain any additional authorizations before implementing that discontinuance of service.”<sup>77</sup>

Further, the FCC determined that “any such state requirements, to the degree they regulate services shown to be jurisdictionally mixed, are subject to preemption pursuant to both the impossibility exception and general principles of conflict preemption.”<sup>78</sup> That is, where the FCC has authorized

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<sup>73</sup> 47 U.S.C. § 214(a).

<sup>74</sup> See *Network Modernization Order* ¶¶ 112-14; 47 U.S.C. § 214(c).

<sup>75</sup> *Network Modernization Order* ¶ 114.

<sup>76</sup> *Id.* ¶ 110.

<sup>77</sup> *Id.* ¶ 7.

<sup>78</sup> *Id.* ¶ 114. Impossibility preemption applies where it is “not possible to separate the interstate and intrastate components of the asserted FCC regulation” and “state regulation would negate valid FCC regulatory goals.” *People of the State of California v. FCC*, 75 F.3d 1350, 1359 (9th Cir. 1996); see *Minnesota Pub. Utilities Comm’n v. FCC*, 483 F.3d 570, 578 (8th Cir. 2007). Conflict preemption applies where state law “prevent[s] or

discontinuance of interstate or jurisdictionally mixed legacy voice services, “state requirements that make it impossible or impracticable for carriers to discontinue those services—and so in effect require carriers to continue providing interstate or jurisdictionally mixed telecommunications services—conflict with federal law, and the important federal policy represented by our modernized regulatory framework . . . and are subject to preemption.”<sup>79</sup>

Applying these principles, the FCC determined in the *Network Modernization Order* that federal law preempts any state requirement that, on its face or in effect, requires a carrier to continue providing a legacy voice service after the FCC has authorized its discontinuance.<sup>80</sup> Also preempted are state requirements obligating carriers to provide grandfathered legacy services to new customers, which are incompatible with the FCC’s blanket grandfathering authority and federal discontinuance regime.<sup>81</sup> In taking these steps, the FCC recognized that because state service mandates may impede network modernization,<sup>82</sup> federal law “preempts state and local requirements to the extent they needlessly constrain the deployment of modern, next-generation IP-based networks by impeding providers’ ability to discontinue providing . . . legacy services and to retire outdated and deteriorating legacy networks.”<sup>83</sup>

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frustrate[s] the accomplishment of a federal objective.” *Geier v. Am. Honda Motor Co.*, 529 U.S. 861, 873 (2000).

<sup>79</sup> *Network Modernization Order* ¶ 106.

<sup>80</sup> *See id.* ¶¶ 7, 106, 112, 114.

<sup>81</sup> *See id.* ¶¶ 6, 22, 114 & n.415.

<sup>82</sup> *Id.* ¶ 4 (explaining that “the record shows that certain state and local requirements have been unduly prolonging the use of legacy networks and actually preventing providers from building modern ones by limiting the types of services that may qualify as adequate replacements,” which is inconsistent with the FCC’s determination to encourage such modernization).

<sup>83</sup> *Id.* ¶ 7.

### **C. Because POTS Is Jurisdictionally Mixed, Federal Law Preempts State Laws that Impede or Prevent POTS Discontinuance.**

POTS is a jurisdictionally mixed service that is subject to the FCC’s exclusive section 214 authority, whether from a consumer or technological perspective. From a consumer and economic standpoint, customers today are not looking to subscribe to local/intrastate service separately from long-distance service.<sup>84</sup> And technologically and operationally, the same network facilities are used to provide intrastate and interstate voice service, making the interstate and intrastate components of the service inseparable.<sup>85</sup> As the FCC recognized, for legacy copper networks, even where nominally “local” and “long distance” services are being provided, “these services are provisioned over the same network using the same technology.”<sup>86</sup> As a result, state commissions cannot prevent discontinuance of the intrastate component of the service without simultaneously preventing discontinuance of the interstate component.<sup>87</sup>

Thus, where the same facilities are used to provide intrastate and interstate service, state approval requirements “prevent a provider from discontinuing the interstate portion of a legacy voice service for which the [FCC] has already granted discontinuance authorization pursuant to section 214.”<sup>88</sup> Such state requirements “negate a valid federal regulatory objective because the interstate impacts of the state

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<sup>84</sup> *See id.* ¶ 107.

<sup>85</sup> Petition for Preemption and Declaratory Ruling of AT&T Services Inc., WC Docket No. 26-125, Ex. 1 (May 20, 2026), <https://www.fcc.gov/ecfs/document/1052056507747/1>.

<sup>86</sup> *Network Modernization Order* ¶ 107; *see also id.* (“[F]ew, if any, networks today operate on a purely local or even intrastate level.”)

<sup>87</sup> *Cf. Minnesota PUC*, 483 F.3d at 578 (“Service providers are not required to develop a mechanism for distinguishing between interstate and intrastate communications merely to provide state commissions with an intrastate communication they can then regulate.”).

<sup>88</sup> *Network Modernization Order* ¶ 114.

or local requirements cannot be unbundled from the intrastate aspects of those requirements” and are therefore preempted.<sup>89</sup>

Here, the provision of POTS in California is clearly “within [the FCC’s] regulatory sphere.”<sup>90</sup> It is a jurisdictionally mixed service—not only economically, but also technologically and operationally—providing customers the ability to make or receive “all-distance” local and interstate calls over common facilities. That means that once the FCC allows a carrier to discontinue POTS, no other “approval” is required before the carrier may lawfully do so—and state laws that impede or prevent POTS discontinuance, or bar the elimination of facilities solely because those facilities are used to provide POTS—are preempted.

#### **IV. THE COMMISSION’S COLR REQUIREMENTS ARE CONTRARY TO FEDERAL DIRECTIVES AND SHOULD BE REPEALED.**

##### **A. Because California’s COLR Rules Are Inconsistent with Federal Law and Are Unnecessary, They Should Be Repealed.**

Because federal law makes the hurdles of the COLR rules impermissible, those rules are effectively preempted and should be repealed. First, the rules require COLRs to seek permission from the Commission to withdraw as a COLR and discontinue POTS-centric basic service—a jurisdictionally mixed service, as explained above—instead of relying solely on FCC’s federal authorization.<sup>91</sup> Indeed, the COLR rules reenforce that the “basic service” they mandate *must* include the ability to place voice calls over “all distances”<sup>92</sup>—i.e., it must include interstate service<sup>93</sup> and therefore be jurisdictionally mixed. Because “it is the [FCC] that has sole jurisdiction to decide whether a carrier’s proposed

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<sup>89</sup> *Id.*

<sup>90</sup> *Id.*

<sup>91</sup> See D.12-12-038, App’x C § 6.D.6.c; D.24-06-024 at 5-6, 12-13.

<sup>92</sup> D.12-12-038, App’x A at § I.1.

<sup>93</sup> See *id.*, App’x A § I.1.b (basic-service must include “equal access” to a presubscribed long-distance carrier).

discontinuance adversely affects the public convenience and necessity and whether it should be approved or rejected”<sup>94</sup> under Section 214(c) of the federal Communications Act, the COLR requirements cannot lawfully bar a carrier from discontinuing POTS.<sup>95</sup>

Second, as discussed above the COLR rules include numerous barriers that delay and hinder discontinuance of POTS and transitioning all customers to a modern communications network. The requirements thus slow a process that the FCC has tried to accelerate. They therefore stand as an obstacle to the FCC’s goal of “cutting through the red tape that has . . . required providers to keep aging copper lines in place” and allowing carriers to “transition [away] from legacy TDM-based networks.”<sup>96</sup> Because the COLR requirements “make it impossible or impracticable for carriers to discontinue” POTS even after the FCC authorizes discontinuance—meaning the requirements “in effect require carriers to continue providing interstate or jurisdictionally mixed telecommunications services”—they “conflict with federal law, and the important federal policy represented by [the FCC’s] modernized regulatory framework . . . [and] are subject to preemption.”<sup>97</sup>

As a consequence, the COLR rules are contrary to federal law with respect to jurisdictionally mixed services that the FCC has authorized to be discontinued, and they serve no useful continuing function. The purpose of the COLR rules was to drive a basic level of universal voice service that

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<sup>94</sup> *Network Modernization Order* ¶ 110.

<sup>95</sup> See 47 U.S.C. § 214(c) (once the FCC authorizes discontinuance, a carrier may discontinue the covered service “without securing [other] approval”); *Network Modernization Order* ¶ 113 n.407 (finding that “the clear language of section 214 creates a federal regime for determining when a carrier may discontinue an interstate or jurisdictionally mixed telecommunications service”); see also *id.* ¶ 114 (recognizing that “section 214(c) expressly provides that carriers do not require any other ‘approval’ to discontinue the covered service”).

<sup>96</sup> *Network Modernization Order* ¶¶ 1, 3.

<sup>97</sup> *Id.* ¶ 106; see *Capital Cities Cable, Inc. v. Crisp*, 467 U.S. 691, 708 (1984) (FCC cable TV regulations preempted state ban that was “wholly at odds with the regulatory goals contemplated by the FCC”); *Qwest Corp. v. Ariz. Corp. Comm’n*, 567 F.3d 1109, 1119-20 (9th Cir. 2009) (FCC rules preempted states from imposing unbundling requirements on telephone providers “in direct conflict with specific FCC policies adopted pursuant to its authority”) (internal quotation omitted) (citing *Verizon New Eng., Inc. v. Maine Pub. Utilities Comm’n.*, 509 F.3d 1 (1st Cir. 2007)).

included access to emergency services like 911 at affordable rates.<sup>98</sup> The FCC’s discontinuance framework implementing its authority under section 214 does this already, by ensuring that an adequate voice replacement is available, that 911 access is assured, and that affordable pricing is taken into account—all with the ability of state regulators and interested parties to weigh in prior to final FCC action. Indeed, the U.S. Congress enacted section 214 to “protect Americans’ continued access to the nation’s communications networks while also preserving carriers’ ability to upgrade their services.”<sup>99</sup> Under these circumstances, the COLR rules have outlived any initial usefulness. The Commission should therefore repeal them promptly and signal its commitment to investment in modern broadband, energy efficiency, and reduced copper theft and vandalism in California.

**B. Elimination of the COLR Rules Is Fully Consistent with Universal Service Policy and Law.**

The Ruling specifically inquires how the Commission can update its COLR rules “in a manner that meets both the FCC’s requirements and federal and state universal service obligations.”<sup>100</sup> Eliminating the COLR rules best promotes universal service policy and compliance with governing law. Repeal of the Commission’s COLR requirements promotes universal service in broadband by encouraging additional investment, as discussed above. The increased incentive to invest can reduce the need for federal and California monetary support to achieve universal service. At the same time, repeal of the COLR rules does not impose any universal service policy harms with respect to voice or broadband. For voice, the FCC will ensure that an adequate replacement voice service that includes

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<sup>98</sup> See generally D.96-10-066; see also D.24-06-024 at 13 (describing the COLR rules’ “clear intent for universal service to operate as a safety net”).

<sup>99</sup> *Accelerating Wireline Broadband Deployment By Removing Barriers to Infrastructure Investment*, Report and Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 32 FCC Rcd 11128, 11177 ¶ 133 (2017).

<sup>100</sup> *Ruling* at 1.

access to 911 is available prior to permitting discontinuance. For broadband, the marketplace has illustrated that freeing resources for investment promotes connectivity.

**V. CONCLUSION**

The Commission should eliminate its COLR requirements in conformity with federal law. Doing so will confirm that the Commission welcomes the benefits of increased opportunity for investment in modern services and networks. Frontier appreciates this chance to provide its views and welcomes the opportunity to collaborate with the Commission on prompt implementation of modernizing reform.

Respectfully submitted on June 10, 2026.

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