

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



FILED

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A2606003

Application of American Broadband and
Telecommunications Company LLC (U-4457-C)
for Appeal

A.2606003
(Filed May 15, 2026)

AMENDED MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Rule 11.4 of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure, American Broadband and Telecommunications Company LLC (AMBT or the Company) respectfully submits this Amended Motion for Leave to File under Seal the Motion for Preliminary Injunction in the above-captioned proceeding.¹ For the reasons detailed below, AMBT requests that certain portions of the Motion for Preliminary Injunction be designated as confidential and protected from disclosure to the public.

On May 15, 2026, AMBT filed a Motion for Preliminary Injunction seeking to enjoin the actions taken by the Communications Division (CD) of the Commission related to the Company's participation in the California LifeLine program. AMBT filed a confidential version of the Motion for Preliminary Injunction and a public version that redacted the entirety of document based on the Company's understanding that the specific actions being challenged were not public. On July 7, 2026, during a status conference in this matter, Administrative Law Judge

¹ AMBT notes that General Order (GO) 66-D also provides procedures for submission of information to the Commission with claims of confidentiality. *See* GO 66-D, Section 3.2. However, General Order 66-D, Section 3.3, provides: "The requirements of Section 3.2 of this GO do not apply when a party in a formal proceeding files information in the docket. To obtain confidential treatment of information to be filed in the docket of a formal proceeding, the submitter must file a motion pursuant to Rule 11.4 of the Commission's Rules" A proceeding initiated by an application is a formal proceeding. *See* <https://www.cpuc.ca.gov/about-cpuc/transparency-and-reporting/ex-parte-communications> ("A formal proceeding is a proceeding initiated by application, complaint, order instituting investigation, or order instituting rulemaking.").

Toy requested AMBT to reconsider whether parts of the Motion for Preliminary Injunction could be disclosed in the public version of the document given that non-public Commission documents could be subject to disclosure under the California Public Records Act (CPRA).² Upon further review, AMBT decided to file an amended public version of the Motion for Preliminary Injunction that redacts confidential commercial and financial information. For the reasons stated in this Motion, AMBT requests that the Commission, including the Communications Division, treat the portions of its Motion for Preliminary Injunction identified below, as confidential.³

AMBT submits that the following types of information provided in the Motion for Preliminary Injunction qualify for confidential treatment:

1. Non-public information regarding the Company's financial status and operations. Relevant confidential information has been redacted from the Motion for Preliminary Injunction at pages 33, 34, 35, 36, 37, 38, 39, 40, and 41, the declaration attached to the Motion for Preliminary Injunction, and Exhibits 14 and 20.
2. Non-public information regarding the vendors with which AMBT contracts. Relevant confidential information has been redacted from the Motion for Preliminary Injunction at pages 10, 11, 26, 27, and 29 and Exhibit 10.
3. AMBT's contracts with third parties and detailed descriptions of those business relationships. Relevant confidential information has been redacted from the Motion for Preliminary Injunction at page 15 and Exhibits 12, 27, 28, 29, 30, and 31.

² Cal. Gov't Code § 6250 *et seq.*

³ A declaration from AMBT in support of the request for confidential treatment is attached to this Motion.

The portions of the Motion for Preliminary Injunction identified above qualify for confidential treatment under the CPRA. Section 7927.705 of the California Government Code provides that the CPRA does not require the disclosure of records when such disclosure is “exempted or prohibited pursuant to federal or state law”⁴ As described below, both federal and state laws prohibit disclosure of the identified portions of the Motion for Preliminary Injunction.

First, Section 7927.605 of the California Government Code specifically exempts disclosure of “corporate financial records” and “corporate proprietary information including trade secrets.”⁵ The Motion for Preliminary Injunction contains highly confidential commercial and financial information related to AMBT’s California LifeLine operations. This confidential information includes non-public details about the impact of the CD’s actions on the Company’s financial and operational status and the Company’s plans for addressing those impacts. The Motion for Preliminary Injunction also discusses non-public aspects of AMBT’s LifeLine operations including the terms of its arrangements with third parties and the identification of vendors that AMBT has chosen to perform certain services.

The provision of wireless telecommunications services, including California LifeLine services, is a competitive market. As such, disclosure of the described confidential information in the Motion for Preliminary Injunction would cause the Company competitive harm by unfairly allowing competitors to have access to confidential and proprietary information regarding AMBT’s financial and operational information, how AMBT provides services, and the terms of AMBT’s contracts with third parties. Moreover, AMBT has not disclosed confidential

⁴ Cal. Gov’t Code § 7927.705.

⁵ Cal. Gov’t Code § 7927.605.

information to any unauthorized third party. Furthermore, the confidential information contained in the Motion for Preliminary Injunction is not part of the public record in any jurisdiction.

Second, the identified confidential information in the Motion for Preliminary Injunction is exempted from mandatory disclosure under “Exemption 4” of the federal Freedom of Information Act (FOIA).⁶ FOIA Exemption 4 allows the withholding of commercial or financial information that is privileged or confidential. The confidentiality requirement is satisfied when commercial or financial information is “customarily and actually treated as private by its owner and provided to the government under an assurance of privacy.”⁷ As explained above, the Motion for Preliminary Injunction includes highly confidential commercial and financial information regarding how AMBT operates its business, including its plans regarding future operations and its relationships with third parties. Public disclosure of such information would harm the Company’s ability to compete. Moreover, the Company treats the confidential information contained in the Motion for Preliminary Injunction as private.

Finally, Section 583 of the California Public Utilities Code provides that no information furnished to the Commission “except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission”⁸ There is no California law that requires highly confidential information about how a wireless carrier conducts its business, to be open to public inspection.

In the event that any person or entity requests disclosure of the identified confidential information, please notify counsel for AMBT at the email addresses below in order to permit the

⁶ See 5 U.S.C. § 552(b)(4) (stating public disclosure is not required for “trade secrets and commercial or financial information obtained from a person and privileged and confidential”).

⁷ *Food Mktg. Inst. v. Argus Leader Media*, 139 S. Ct. 2356, 2366 (2019).

⁸ Cal. Pub. Util. Code § 583.

Company to oppose such a request or take such other action to safeguard its interests as it deems necessary.

Based on the foregoing reasons, AMBT respectfully requests that the Commission grant this Motion seeking to designate the portions of the Motion for Preliminary Injunction identified herein as confidential and filed under seal.⁹

Respectfully submitted,



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*Counsel for American Broadband and
Telecommunications Company LLC*

July 8, 2026

⁹ In accordance with Rule 11.4, a proposed ruling that indicates the relief requested is attached to this Motion.

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[PROPOSED] ORDER

Having reviewed the Motion of American Broadband and Telecommunications Company LLC (AMBT) for an order allowing it to file under seal the confidential version of the Motion for Preliminary Injunction, filed May 15, 2026, and good cause appearing,

IT IS HEREBY ORDERED that AMBT's Motion for Preliminary Injunction will be filed under seal.

Dated: _____

By: _____
Administrative Law Judge

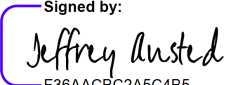
DECLARATION OF JEFFREY ANSTED

In support of the Motion for Leave to File under Seal filed with the California Public Utilities Commission by American Broadband and Telecommunications Company LLC (AMBT or Company), Jeffrey Ansted states as follows:

1. My name is Jeffrey Ansted. I am President of AMBT. My personal knowledge of the facts stated herein has been derived from my employment with AMBT.
2. On May 15, 2026, AMBT filed a Motion for Preliminary Injunction seeking to enjoin the actions taken by the Communications Division of the California Public Utilities Commission related to the Company's participation in the California LifeLine program. AMBT filed a confidential version of the Motion for Preliminary Injunction and a public version. Concurrently with this Declaration, AMBT is filing an amended public version of the Motion for Preliminary Injunction that redacts specific confidential commercial and financial information.
3. AMBT considers the information identified in the Motion to File under Seal to be confidential commercial and financial information and protected from disclosure pursuant to Section 7927.605 of the California Government Code, Section 583 of the California Public Utilities Code, and 5 U.S.C. § 552(b)(4).
4. AMBT treats the confidential information contained in the Motion for Preliminary Injunction as private and has not disclosed it to any unauthorized third party.
5. I have reviewed AMBT's Motion for Leave to File under Seal. On behalf of AMBT, I verify that the information contained in Motion for Leave to File under Seal is true and accurate to the best of my personal knowledge.

I affirm and declare under penalty of perjury under the laws of the State of California, including Rule 1.1 of the California Public Utilities Commission's Rules of Practice and Procedure, that, to the best of my knowledge, all of the statements and representations made in this Declaration are true and correct.

Executed on 7/9/2026

Signed by:

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Jeffrey Ansted
President