BEFORE THE PUBLIC UTILITIES COMMISSION OF

THE STATE OF CALIFORNIA

Joint Application of Charter Communications, Inc., Charter Communications Holdings, LLC, and Cox Enterprises, Inc. f or Approval Pursuant to Public Utilities Code Section 854 of the Indirect Transfer of Control of Cox California Telcom, LLC (U-5684-C).	Application 25-07-016 (Filed July 30, 2025)

[PUBLIC]

OPENING COMMENTS OF THE UTILITY REFORM NETWORK ON THE PROPOSED DECISION OF JUDGE ORMOND GRANTING INDIRECT TRANSFER OF CONTROL SUBJECT TO THE TERMS OF THE JOINT SETTLEMENT

[All Charter Highly Confidential Material Redacted]

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I. INTRODUCTION

Pursuant to Rule 14.3(a) of the Commission's rules of Practice and Procedure,[1] The Utility Reform Network ("TURN") timely submits these opening comments on the July 9, 2026, Proposed Decision of ALJ Ormond Granting Indirect Transfer of Control Subject to the Terms of the Joint Settlement ("Ormond PD"), issued concurrently with the Alternate Proposed Decision of Commissioner Matther Baker ("Alternate PD"). TURN recognizes the work required of the Commission and Staff in reviewing of a large record and preparing and issuing two proposed decisions within approximately one month of submission. The Ormond PD does commendable work in considering the many issues raised in this proceeding and proposing settlement modifications and mitigation measures to ensure the proposed transaction is in the public interest. TURN supports the Ormond PD over the Alternate PD and in these comments recommends modifications to clarify and strengthen the Ormond PD to ensure the proposed transaction is subject to clear and meaningful conditions and mitigation measures. TURN also discusses parties' motions filed regarding the Ormond PD's modifications to the two settlement agreements submitted in this proceeding.

II. DISCUSSION

A. <u>TURN supports the Ormond PD's Joint Settlement.</u>

The Ormond PD includes modifications and additions to the two settlements filed in this docket[2] and combines them into one settlement ("Joint Settlement"). Conclusion of Law ("COL") 24 of the Ormond PD invited parties to submit motions on the Joint Settlement pursuant to Rule 12.4. In response, parties submitted a total of three motions. Joint Applicants argue that they cannot agree to the Joint Settlement at this time and that its terms "exceed the statutory authority of the Commission."[3] The California Emerging Technology Fund ("CETF") submitted a motion that proposed a settlement modification unrelated to those proposed in the Ormond PD.[4] The California Alliance for Digital Equity, Digital Equity Los Angeles, East Bay Broadband

[1] Any subsequent references to "Rules(s)" without further specification are references to the Commission's Rules of Practice and Procedure.
[2] Ormond PD at 88-93.
[3] Motion of Joint Applicants on Joint Settlement Election of Proposed Decision (filed July 24, 2026) at 2-3. (Joint Applicants' Settlement Motion)
[4] Motion of CETF on Joint Settlement Election of Proposed Decision (filed July 24, 2026) at 3-6.

Consortium, Fresno Coalition for Digital Inclusion, and Center for Accessible Technology submitted a joint motion in support of the modified Joint Settlement and recommended that, in the event settling parties do not agree to the Joint Settlement, the Commission should revise the Ormond PD to make the terms of the Joint Settlement conditions of the Commission's approval of the proposed transaction.[5] TURN supports this recommendation and additionally recommends the adoption of modifications recommended in these comments. As settling parties' motions refuse to explain whether they will accept the revised terms of the Joint Settlement,[6] there is a risk that, should the Commission vote out the Ormond PD and close this proceeding, the settling parties will be unable to negotiate modifications to the settlement, allowing one settling party to void or withdraw from those agreements and depriving California consumers of the benefits of the Joint Settlement.[7] Adopting the Joint Settlement terms as conditions of the final decision in a revised decision by ALJ Ormond addresses and mitigates this risk.

To accommodate the prospect of settling parties agreeing to the Joint Settlement, the final decision should clarify that if the analogous term in the settlements survive, as originally submitted on May 1, 2026, that term replaces or supersedes the Commission's condition. TURN proposes corresponding redlines to COLs and Ordering Paragraphs ("OPs")[8] of the Ormond PD in Appendix A.

B. <u>The Commission should modify the Ormond Proposed Decision to clarify the infrastructure upgrade and deployment conditions and settlement modifications to ensure meaningful benefits for Joint Applicants' California customers.</u>

The Ormond PD would require Charter to upgrade its California networks to be capable of offering gigabit symmetrical speeds and modifies the Charter/CETF Memorandum of Understanding ("MOU") to (1) require Charter to build out last mile infrastructure to provisional BEAD-awarded locations that do not receive final approval and (2) deploy DOCSIS 4.0 or fiber to the home ("FTTH") to 6,000 unserved and underserved locations within Charter's and Cox's

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[5] Motion to Support Adoption of Terms of Joint Settlement in Proposed Decision Granting Indirect Transfer of Control Subject to the Terms (filed July 24, 2026) at 5-6.
[6] *See* Joint Applicants' Settlement Motion at 2-5; Motion of CETF on Joint Settlement Election of Proposed Decision at 2-3.
[7] *See* Joint Motion of Charter and Public Advocates Office for Adoption of Settlement Agreement (filed May 1, 2026), Exhibit 1 at para. 26; Joint Motion of Charter Communications, Inc. and CETF for Adoption of Settlement Agreement (filed May 1, 2026), Exhibit 1 at 14.
[8] Resolution ALJ-485 modified Rule 14.3 to allow comments on proposed and alternate decisions to include proposed changes to ordering paragraphs. Resolution ALJ-485 (issued June 22, 2026) at 9.

service territories.[9] These elements of the Ormond PD are an improvement over the existing provisions in the CETF MOU but would benefit from further clarification.

First, with the 6,000-location deployment settlement modification, there is a question of how far deployment of 6,000 locations would go to address unserved and underserved locations in Charter's and Cox's California service territories. This number appears to come from Charter's analysis of unserved and underserved locations in its service territory, which did not contemplate unserved and underserved locations in Cox's California service territory.[10] TURN therefore recommends increasing this deployment requirement above 6,000 to account for unserved and underserved locations in Cox's service territory. Further, this settlement modification should include a mechanism to require Charter to prioritize upgrades in ESJ communities. Otherwise, there is a considerable possibility that Charter will simply cherry-pick locations that are not awarded Broadband Equity, Access, and Deployment Program ("BEAD") funding[11] or locations in Charter's service territory that Charter has already slated for upgrades in the near future.[12] Moreover, before Charter submits the "build-out plan report" for these upgrades,[13] the Tribes the post-merger company serves should receive an opportunity to review proposed deployment locations located on Tribal lands and be able to revise that list for accuracy.

Second, TURN recommends that the Ormond PD define "unserved" and "underserved" as they pertain to the infrastructure deployment settlement modification.[14] Otherwise, Charter will

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[9] Ormond PD at 90, 93, OP 20.

[10] Charter's Response to Administrative Law Judge Inquiry (filed Mar. 30, 2026) at 23 (Charter March 30 Response); Vol. 6 Tr. 667:17-668:2.

[11] Since the filing of TURN's briefs, the National Telecommunications and Information Administration has approved California's BEAD Final Proposal. On July 20, 2026, Communications Division announced this approval but stated that the Commission would issue "[a] resolution outlining the revisions made to the Final Proposal," which suggests there have been modifications to California's BEAD awards. CPUC, California Broadband Equity, Access, and Deployment (BEAD) Program, https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-implementation-for-california/bead-program (last accessed July 28, 2026), At time of filing, the Commission has yet to issue such a resolution.

[12] Charter and Cox are already in the process of deploying DOCSIS 4.0. Exh. 125 (Direct Testimony of Bixia Ye on Broadband Availability and Financial Condition) at 1-20. As of April 2025, **[BEGIN CHARTER HIGHLY CONFIDENTIAL]** [redacted] **[END CHARTER HIGHLY CONFIDENTIAL]** Exh. 94 (CHARTER-TURN-DR001-Q2-0000611) at 0000618-0000617; Reply Brief of TURN (filed June 5, 2026) at 23-24.

[13] *See* Ormond PD at 93.

[14] *See id.* ("Within three (3) years of the effective date of this decision, the post-merger company shall deploy DOCSIS 4.0 or fiber to the home (FTTH) to 6,000 unserved and underserved locations within the footprint of the post-merger company.").

likely defer to its prior analysis, which uses the Federal Communication Commission's ("FCC") Broadband Data Collection maps and make the same disingenuous argument about California's provisional BEAD awards already covering most or all of these locations.[15] As discussed in TURN's opening brief and testimony, the FCC's maps depend on carriers' self-reported coverage data and can therefore result in over-reporting of coverage, meaning that locations Charter considers "served" may not actually be.[16] TURN recommends that the Commission modify the Ormond PD to define "unserved" and "underserved" in a way that is not wholly reliant on the FCC's broadband maps.

Finally, as for the California-wide gigabit network upgrade mitigation measure, the record demonstrates that **[BEGIN CHARTER HIGHLY CONFIDENTIAL]** [redacted] **[END CHARTER HIGHLY CONFIDENTIAL]** To ensure consumers benefit from this mitigation measure, TURN recommends that the Commission modify the Ormond PD set an accelerated deadline for completion of footprint-wide upgrades (i.e., the upgrades needed in **[BEGIN CHARTER HIGHLY CONFIDENTIAL]** [redacted] **[END CHARTER HIGHLY CONFIDENTIAL]**). TURN proposes 18 months after the effective date of the final decision as a deadline.

For each of these points, TURN proposes corresponding redlines on to the settlement modifications, findings of fact ("FOFs"), COLs, and OPs of the Ormond PD in Appendix A.

C. The Commission should modify the conditions in the Ormond Proposed Decision to ensure meaningful reporting and monitoring of cultural changes at the post-transaction company.

TURN commends the Ormond PD for its considerable initiative in crafting mitigation measures intended to address the harms of Charter rescinding its diversity, equity, and inclusion ("DEI") policies and programs and develop recruiting and outreach pipelines to Environmental and Social Justice ("ESJ") communities.[18] However, for clarity and to meaningfully address the harms of Charter's actions, the Commission should modify some of these mitigation measures and settlement modifications.

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[15] Vol. 6 Tr. 666:19-667:9; Charter March 30 Response at 22-24. *See also* Opening Brief of TURN at 17-19.

[16] Opening Brief of TURN (filed May 22, 2026) at 18; Exh. 79 (Rebuttal Testimony of David Brevitz) at 8:2-19, 20:5-20.

[17] Opening Brief of TURN at 23-24; Exh. 94 (CHARTER-TURN-DR001-Q2-0000611) at CHARTER-TURN-DR001-Q2-0000618; Reply Brief of TURN at 23-24.

[18] *See, e.g.,* Ormond PD at OPs 3, 16, 17.

The Center for Accessible Technology submitted testimony explaining that companies must intentionally implement DEI initiatives to achieve a diverse workforce and that, conversely, eliminating DEI programs and support causes harm.[19] Accordingly, OP 17 of the Ormond PD would modify the settlements to require the post-transaction company to report on "its success in incorporating candidates from ESJ communities, including ESJ hiring data, hiring outreach methods, changes, and updates."[20] However, this requirement only guarantees the Commission will receive updates that Charter and its counsel have carefully crafted, reviewed, and approved. Post-transaction Charter will have incentives to downplay any lack of success in hiring candidates from ESJ communities and decreases in employee diversity. The Commission needs a way to directly capture accurate, unvarnished employee experiences and sentiment at the post-merger company, which is why TURN specifically recommended that the Commission require Charter to conduct an anonymous survey of employees.[21] Without specifically soliciting employee perspectives, Charter's compliance filings could obfuscate harmful trends in employee diversity and the post-merger company's culture. TURN also recommends a condition similar to one the Commission crafted in the Frontier/Verizon transaction that would require Charter to utilize its business resource groups as a source of "supplementary qualitative information" regarding the experience of Charter's California employees.[22] Charter's letter to the FCC stated that Charter will maintain business resource groups,[23] making them a source of perspectives from diverse employees. Further, if harmful trends do arise, the Commission should require post-transaction Charter to develop and implement plans to remediate them, as it did with the Frontier/Verizon transaction.[24] TURN recommends redlines to enact these recommended changes in Appendix A, in addition to the other changes recommended in this section.

Relatedly, portions of the language of OP 17 are broad and could reduce the value of the

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[19] Exh. 80 (Opening Testimony of Paul Goodman) at 9:15-18:2; *see also* Reply Comments of the National Institute for Workers' Rights on the Joint Motion of Charter and Cal Advocates for Adoption of Settlement Agreement and Joint Motion of Charter Communications, Inc. and CETF for Adoption of Settlement Agreement (filed June 11, 2026) at 5-6 ("Research shows that dedicated equal-opportunity staff—the people responsible for pay equity audits, fair hiring processes, and bias review in performance evaluations—affect these outcomes. When Charter eliminates or sidelines this infrastructure, it reduces its organizational capacity to catch and correct illegal discrimination." (internal citations omitted)).

[20] Ormond PD at 91.

[21] Opening Brief of TURN, Attachment A, at A-4-A-5.

[22] *Id.*, Attachment A, A-4.

[23] Exh. 47 (Attachments A-D of Second Rebuttal Testimony of Paul Goodman), Attachment A at 3.

[24] *See* D.26-01-023 (issued in A.24-10-006 on Jan. 20, 2026) at OP 10.

information Charter provides in its reports. For example, "changes" could be read as including changes to employee diversity but does not specifically require reporting employee demographics. Similarly, "updates" could include updates to hiring outreach methods, but OP 17 does not expressly require that information.

OP 3 similarly requires Charter to report on "the changes that have occurred to the California-based workforce as a result of the merger."[25] However, "changes" could cover anything from headcount to working conditions to employee demographics. TURN recommends that the Commission modify the language of OP 3 to clarify that reporting should include employee headcount and demographics. These requirements will allow the Commission to assess whether the proposed transaction results in job creation or the maintenance of current staffing.[26]

OP 16 would require post-merger Charter to "provide opportunity to participate in workforce development programs via University of California Native American Opportunity Plan."[27] TURN understands this OP to mean that Charter would create workforce development program participation opportunities for students at the University of California who are enrolled members of Tribes. However, the Native American Opportunity Plan appears to be a purely financial aid program for students enrolled in federally recognized Tribes.[28] As such, TURN recommends clarification to the language of OP 16.

D. **The Commission should modify the Ormond Proposed Decision to clarify conditions related to Tribal communities.**

TURN commends the Ormond PD for recognizing the need for the proposed transaction to address ESJ communities, including Tribes. The Ormond PD includes mitigation measures that specifically contemplate the Tribal communities that the post-transaction company would serve, but two of them could benefit from additional clarification.

First, OP 9 requires the post-merger company to support on the General Order ("GO")

[25] Ormond PD at OP 3.
[26] *See* Opening Brief of TURN at 34-35.
[27] Ormond PD at OP 17.
[28] *See* University of California, Native American Opportunity Plan, https://admission.universityofcalifornia.edu/tuition-financial-aid/types-of-aid/native-american-opportunity-plan.html (last accessed July 27, 2026) ("The goal of the UC Native American Opportunity Plan is to make college more affordable and accessible for California's Native American students. This initial phase of the plan will ensure that in-state systemwide Tuition and Student Services Fees are fully covered for California residents who are members of federally recognized Native American, American Indian and Alaska Native tribes.")

133-E Out of Service metric (called the "POTS and VoIP Outage Repair Standard" in the GO) on Tribal lands within its footprint. However, GO 133-E also includes other metrics, such as Installation Standard, which the post-merger company should be able to report on specifically for Tribal lands, as requests for installation of fixed service necessarily require a service address.[29] The Ormond PD already recognizes the "historical dearth of service on Tribal lands."[30] TURN recommends that the Commission modify the Ormond PD to require reporting of the Installation Standard on Tribal lands.

Second, OP 15 requires the post-merger company to "identify the Tribal communities in its service area." TURN recommends clarifying that this OP applies to both Charter's and Cox's California service areas to ensure a complete review occurs. TURN proposes modifications to and OPs 9 and 15 in Appendix A.

E. **The Commission should modify the Ormond Proposed Decision to clarify conditions related to low-income service offerings.**

The Ormond PD includes mitigation measures that pertain to Charter's low-income service offerings, some for which TURN recommends clarifications. OP 3 would require post-merger Charter to report on "scripts, new training models, and details around the modifications made to mitigate low-income customer upselling practices," indicating further concern about Charter's upselling practices beyond what the CETF MOU addresses. To further build on the mitigation of upselling practices, TURN recommends that the Commission modify OP 6 to specify that the consumer hotline established in that OP should also serve as a resource for customers who believe they are upsold and want to expeditiously change or cancel their service.

TURN reads OPs 5 and 10 together as instituting a 10-year price freeze on Charter's "income-qualified program" offerings, which include, but are not limited to, its California LifeLine Home Broadband Pilot service offerings. To clarify their parameters, TURN recommends modifying the language of OP 10 to clarify that Charter prices are frozen as they were on the date of issuance of the Ormond and that "income-qualified program" offerings include its general California LifeLine offerings and Spectrum Internet Assist. These modifications would establish a pricing baseline tethered to current pricing.

OP 11 requires "Joint Applicants [to] remove the 30-day moratorium on any plan changes

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[29] GO 133-E, Section 2.1.
[30] Ormond PD at 56, FOF 13.

for all Californians." TURN interprets this OP as meaning that existing Charter customers can sign up for any plan for which they are eligible, including low-income service offerings like Spectrum Internet Assist and respectfully seeks clarification as to whether this interpretation is correct. Further, to facilitate timely compliance, TURN recommends that the Commission modify this OP to require Charter to report to the Commission through a Tier 1 Advice Letter when it has made any and all necessary modifications to its systems and customer-facing materials so that all its customers have access to all plans for which they are eligible.

TURN proposes redlines to each of these OPs in Appendix A.

F. The Commission should modify the Ormond Proposed Decision to clarify conditions related to customer protections.

The Ormond PD includes mitigation measures that create customer protections or outreach requirements, some for which TURN recommends clarifications and modifications.

OP 13 would require the post-merger company to issue customer credits for service outages of two hours or longer. To monitor Charter's performance and the impact on consumers from this mitigation measure, TURN recommends expanding this condition to require Charter to report to the Commission on how many of these credits it issues to its California customers per year, broken out by month and census tract. Census tract-level data provides a medium level granularity and has been able to capture Charter's discriminatory pricing practices.[31]

OP 14 would require the post-merger company to "ensure that any pricing plan . . . is equally available across its footprint." To ensure this mitigation measure addresses disparities in Charter's promotional pricing,[32] TURN recommends modifying this OP to specify that "any pricing plan available" includes promotional pricing.

Finally, in what appears to be an error, OP 4 references "clause (c), below," TURN recommends it be modified to refer to OP 6.[33]

TURN proposes redlines to each of these OPs in Appendix A.

G. The Commission should expand the backup battery mitigation measures in the Ormond PD.

The Ormond PD establishes a mitigation measure that would require Charter to "make available to all new residential wireline voice service customers in California access to at least one

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[31] *See* Reply Brief of TURN at 8.
[32] *See* Reply Brief of TURN at 6-13.
[33] Ormond PD at OP 4. *See id.* at 55.

battery backup solution."[34] However, the Ormond PD errs in limiting this requirement just to "new" residential wireline customers, as existing residential wireline customers would equally benefit from this mitigation measure. TURN recommends that Charter offer backup battery solutions to all customers. Further, backup power is not truly available to all customers if it comes at an additional cost. TURN recommends that Charter offer backup battery solutions at no cost.[35] However, if the Commission is unwilling to require Charter to distribute one free battery backup solution to all customers who request it, TURN alternatively recommends modifying the Ormond PD to require Charter to distribute one at no cost to LifeLine or customers enrolled in low-income service offerings who request them.

Similarly, the Ormond PD establishes a mitigation measure that would require the post-transaction company to provide its customers with an annual notice about battery backup solutions.[36] With Charter's acquisition of Time Warner Cable, the Commission established a similar condition; however, in that case, the Commission also required that consumer education materials be available in multiple languages and accessible formats.[37] The Ormond PD errs in not adopting a similar requirement to ensure Charter's materials are accessible to consumers, given the public safety nature of the material and the fact that the Ormond PD elsewhere recognizes that "Joint Applicants must explicitly address ESJ communities."[38]

TURN proposes corresponding redlines to the relevant OPs in Appendix A.

H. The Ormond Proposed Decision errs in not creating an enforcement framework.

The Ormond PD would have Charter comply with various mitigation measures and settlement conditions by filing advice letters with reports and plans in the form of advice letters, some of which are to be submitted on a recurring basis beginning in March 2027 as Annual Reports.[39] However, outside of these filings, the Ormond PD errs in not contemplating or creating an enforcement framework.

Not all conditions or settlement modifications have associated reporting requirements, and even for those that do, the Commission should have mechanisms in place to monitor, assess, and

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[34] *Id.* at 60-61, OP 18.
[35] *See* Opening Brief of TURN at 49.
[36] Ormond PD at OP 19.
[37] D.16-05-007 (issued in A.15-07-009 on May 16, 2016) at OP 2(o).
[38] Ormond PD at 52.
[39] *See id.* at 54-55, 93, OPs 1, 3, 5, 9, 21

respond to potential violations of settlement terms and mitigation measures by Charter. For example, if Charter reports its investments in community development financial institutions, but those investments are below the $5 million required in the Charter/CETF MOU,[40] the Commission should be able to order Charter to make additional investments to satisfy the terms of the settlement. An enforcement program is necessary to realize the benefits of the settlements and Ormond PD's mitigation measures.

In contrast, the Alternate PD authorizes Staff to "draft a Resolution for Commission consideration reflecting an enforcement program that covers compliance with the terms of the mitigation measures . . . and the terms of any Settlement Agreements."[41] TURN recommend that the Commission modify the Ormond PD to include this element and proposes revisions to the Ormond PD's COLs in Appendix A.

I. **The Ormond Proposed Decision fails to address the application of existing non-disclosure agreements and other agreements for access to confidential information to compliance filings.**

As discussed above, the Ormond PD would require Charter to submit advice letter filings as part various of mitigation measures and settlement terms. However, the Ormond PD errs in failing to clarify the application of existing non-disclosure agreements or other agreements for access to confidential information (collectively, "NDAs") in this proceeding to those compliance filings. As the protest period for advice letters can be quite impacted by the time necessary to execute an NDA or update an existing NDA to receive access to the confidential version of an advice letter, this lack of specificity in the Alternate PD could prevent parties from being able to review and timely protest compliance filings. Further, given the difficulties multiple parties and the Commission have experienced in obtaining information designated as confidential from Charter and Cox,[42] clarification from the Commission is particularly appropriate in this case. Therefore, TURN recommends that the Commission modify the Ormond PD to state that existing NDAs apply to Charter's compliance filings. TURN proposes corresponding redlines to the FOFs and COLs of the Ormond PD in Appendix A.

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[40] *See* Ormond PD at 66, 92.
[41] Alternate PD at 55, COL 13.
[42] *See, e.g.,* ALJ's Fifth Ruling Directing Filing of Additional Information Within 10 Days (issued Mar. 18, 2026) at 3; TURN's Response to Joint Applicants' Motion to Amend and Clarify the Assigned Commissioner's Scoping Memo and Ruling (filed Jan. 14, 2026) at 1-3; Center for Accessible Technology Motion to Compel Discovery and for Further Relief (filed Feb. 11, 2026) at 1-4.

J. The Ormond Proposed Decision erroneously denies pending Motions to File Under Seal.

OP 26 of the Ormond PD states, "All outstanding motions filed in this proceeding that have not yet been ruled on are denied."[43] At time of filing, TURN has filed three motions to file under seal,[44] submits a fourth contemporaneously with these comments, and submits a fifth with our comments on the Alternate PD. All remain pending. TURN's confidential filings in this docket contain record evidence that supports TURN's positions and recommendations, including some that the Ormond PD adopts in the form of settlement modifications, conditions, and mitigation measures.[45] Given the need for the Commission to issue a decision supported by the record,[46] it would be error for the Commission to deny TURN's motions to file under seal. TURN proposes corresponding redlines to OP 26 in Appendix A.

III. CONCLUSION

TURN supports the Ormond PD over the Alternate PD and respectfully recommends the Commission adopt the Ormond PD with the modifications discussed herein for the foregoing reasons.

Dated: July 29, 2026

Respectfully submitted,

By:

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[43] Ormond PD at 55, OP 26.
[44] Motion of TURN for Leave to File Opening Brief Under Seal (filed May 22, 2026); Motion of TURN for Leave to File Opening Comments of TURN on the Joint Motion of Charter Communications, Inc. and CETF for Adoption of Settlement Agreement Under Seal (filed June 1, 2026); Motion of TURN for Leave to File Reply Brief Under (filed June 5, 2026).
[45] *Compare, e.g.,* Opening Brief of TURN at 14-15 *with* Ormond PD at 57, OP 13.
[46] *See* Cal. Pub. Util. Code § 1757(a)(4).

Appendix A

Redlines to Findings of Fact

FOF X. Charter and Cox are already in the process of upgrading their networks to deploy DOCSIS 4.0.

FOF X. The Commission and parties to the proceeding have experienced delays in receiving information from the Joint Applicants.

Redlines to Conclusions of Law

COL X. In the case that the settling parties do not accept settlement modifications, it is reasonable to convert the terms of the terms of the Joint Settlement, including the modifications and additions proposed in this decision, as mitigation measures.

COL X. Existing non-disclosure agreements or other agreements for confidential information shall apply to and be sufficient to provide access to the post-merger company's compliance submissions required in this decision and in the enforcement program established pursuant to Conclusion of Law X.

COL X. It is reasonable to authorize Commission staff to draft a Resolution for Commission consideration reflecting an enforcement program that covers compliance with the terms of the mitigation measures as reflected in the Ordering Paragraphs, including, without limitation, the post-merger company's reporting requirements, service quality requirements, infrastructure investment requirements, requests for changes to conditions via a petition for modification, and the terms of any Settlement Agreements.

COL X. It is reasonable to authorize Commission staff to draft a Resolution for Commission consideration reflecting an enforcement program that covers compliance with the terms of the mitigation measures as reflected in the Ordering Paragraphs, including, without limitation, the post-merger company's reporting requirements, service quality requirements, infrastructure investment requirements, requests for changes to conditions via a petition for modification, and the terms of the Joint Settlement or any other Settlement Agreements.

Redlines to Ordering Paragraphs

OP X. In the case that the settling parties accept terms of the Joint Settlement, including the modifications and additions proposed in this decision, the terms of the Joint Settlement shall supersede the mitigation measures established in this decision.

OP X. Upon request of the Commission, the post-merger company shall utilize its Business Resource Groups to facilitate the provision of supplemental qualitative information concerning the experience of the post-merger company's California employees on a confidential basis.

OP X. For a period of five years after the issuance date of this decision, the post-merger company will conduct quarterly employee satisfaction surveys that include questions on employees' expectations, experiences, and satisfaction in regard to belonging and inclusion, in addition to typical questions on employee satisfaction surveys such as satisfaction with career advancement opportunities, compensation, work-life balance, and company culture. In addition to quantitative results, employees must have the opportunity to provide written commentary. Employees must be able to respond anonymously. The survey shall have questions that allow employees the opportunity to self-identify based on characteristics including gender, race, disability status, veteran status, Tribal affiliation, or Lesbian, Gay, Bisexual, and Transgender identity. Results of the survey will be reported to Communications Division staff, as well as other venues as necessary. This survey should be national, with a breakout of the California-specific results in reporting. The post-merger company shall include survey results in its Annual Reports.

OP 3. The post-merger company shall report to the Commission via a Tier 1 advice letter describing its employees who provide customer service to California customers, including low-income customers, that describes modifications made to customer service in response to this Decision, including scripts, new training models, and details around the modifications made to mitigate low-income customer upselling practices; as well as the changes that have occurred to the California-based workforce as a result of the merger, including employee headcount and demographics, and the new and additional foreseeable workforce benefits stemming from the transaction.

OP 4. The post-merger company shall send a welcome letter or notice, approved by the Commission's Public Advisor's Office, to its customers within 45 days of the issuance date of this decision. The letter or notice shall include information about payment options, the California Customer Hotline, the post-merger company's income-qualified programs, federal Lifeline and California LifeLine options, and any other customer service information related to the transition, merger, and considerations therein. Notification about Ordering Paragraph 6 ~~clause (c)~~, below, shall also be included in the welcome letter.

OP 6. The post-merger company shall establish a dedicated California customer hotline number to be available 12 hours per day from 8:00 AM - 8:00 PM Pacific Time for two (2) years within 30 days of the issuance date of this decision. The customer hotline will be staffed by multilingual, human operators located in California who will offer to look at a caller's bill to determine if a lower cost option is available and how to change plans, help customers expeditiously cancel unwanted service, assist with consumer questions, concerns, and complaints related to the transfer of control.

OP 9. The post-merger company shall submit a report to Communications Division a Tier 1 advice letter that reports on General Order 133-E Out of Service and Installation Standard metrics on Tribal lands within the post-merger company footprint on March 1, 2027, and then annually for the next ten years.

OP 10. The post-merger company shall offer California LifeLine, including the standalone and broadband bundle options, throughout the post-merger service territory for a period no less than ten (10) years or until December 31, 2036. The post-merger company shall participate in the California LifeLine Home Broadband Pilot for the duration of the pilot program, and program extension, or permanent program as part of California LifeLine for no less than fifteen (15) years or until December 31, 2041. For a period of ten (10) years after the Commission Decision, the post-merger company shall not raise the price of services for income-qualified program from their prices as of July 9, 2026, including California LifeLine and Spectrum Internet Assist, from what they were at the time of the issuance of this decision.

OP 11. The post-merger company shall offer and make available the highest broadband speed and lowest priced service plan available to all California consumers located in the post-merger company's footprint. Joint Applicants shall remove the 30-day moratorium on any plan changes for all California~~ns~~ consumers in an effort to reduce the barrier to broadband affordability, the primary barrier to connectivity, and shall file a Tier 1 advice letter when they have implemented this change for all customers.

OP 13. The post-merger company shall automatically issue a customer credit equal to 1/30th of the monthly price of the service for each day the service outage lasts two-hours or more. This customer credit shall be reflected on the customer's bill within 60 days after the last day of the billing period during which the customer experienced a service outage lasting two hours or more. The automatic customer credit applies only to charges associated with the service. In its Annual Report, the post-merger company shall report how many credits it issues pursuant to this Ordering Paragraph by month, broken out by census tract.

OP 14. The post-merger company shall ensure that any pricing plan, including promotional pricing, available to any geographic location is equally available across its footprint

OP 15. The post-merger company shall identify the Tribal communities in its entire post-transaction service area, as required by this decision.

OP 16. The post-merger company shall provide a Broadband Field Technician Apprenticeship Program for hiring California technicians to promote high road career paths and economic opportunities. The post-merger company shall submit an update, detailing its program and progress via its March 1, 2027, Annual Report to the Commission, and annually thereafter. The post-merger company may consider partnership with the California State University System or the California Communication Colleges. To promote high road career paths and economic opportunities in Environmental and Social Justice (ESJ) communities, the post-merger company should make additional effort to search for candidates within the ESJ and Tribal communities in its footprint. Additionally, the post-merger company shall provide opportunity for students participating in the ~~to participate in workforce development programs via~~ University of California Native American Opportunity Plan to participate in workforce development programs.

OP 17. The post-merger company shall include a report detailing its success in incorporating candidates from Environmental and Social Justice (ESJ) communities, including employee diversity, ESJ hiring data, hiring outreach methods, changes, and updates for all of the aforementioned, for ten (10) years starting with the March 1, 2027, Annual Compliance Report to the Commission. The post-merger company must specify any changes that have been detrimental to maintaining a diverse/equitable workforce (as may be gleaned from employee survey), and how it will address those detrimental impacts and what changes they will make. The post-merger company must specify any changes that have been detrimental to maintaining a diverse/equitable workforce (as may be gleaned from employee survey), and how it will address those detrimental impacts, and what changes they will make.

OP 18. The post-merger company shall make available to all ~~new~~ residential wireline voice service customers in California access to at least one battery backup solution that provides 72 hours of standby time. This battery backup option shall be available at no cost to residential wireline voice service customers.

OP 19. The post-merger company shall provide an annual notice to all their residential wireline voice service customers in California disclosing relevant information regarding battery backup solutions. The post-merger company shall make this annual notice available in multiple languages, including but not limited to, English, Spanish, Chinese, and Vietnamese, as well as in accessible formats for visually impaired customers. The post-merger company shall include this notice in its March 1 Annual Compliance Reports.

OP 20. The post-merger company shall update its California networks to be capable of offering symmetric internet access service with download/upload speeds up to 1/1 gigabit per-second throughout its footprint within 18 months of the issuance of this decision.

OP 26. ~~All outstanding motions filed in this proceeding that have not yet been ruled on are denied.~~ The May 22, 2026; June 1, 2026; June 5, 2026; and July 29, 2026, motions of The Utility Reform Network for leave to file under seal are granted.

Redlines to Settlement Modifications & Additions

W. Within three (3) years of the effective date of this decision, the post-merger company shall deploy DOCSIS 4.0 or fiber to the home (FTTH) to ~~6,000~~ a number of unserved and underserved locations determined by the Commission within the footprint of the post-merger company, with a portion of locations determined by the Commission to be located in ESJ communities. Within six (6) months of the effective date of this decision ~~approving~~, the post-merger company will provide a FTTH and DOCSIS 4.0 build-out plan report with a summary of the build-out plan to include, at minimum, how the post-merger company will prioritize service to ESJ communities, a matrix list of locations, technology, service tiers, and pricing to the Commission. The report shall contain an executive summary, a detailed description of process and maps of the build-out to be supplied to the Commission via a Tier 1 advice letter. The report will be updated and provided to the Commission in the post-merger company's March 1, Annual Report. Before submitting the report, the post-merger company shall allow Tribes in its service territory to review the proposed deployment locations located on Tribal lands and allow them to revise that list for accuracy.