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BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

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NOTICE OF EX PARTE COMMUNICATION OF CALIFORNIA EMERGING TECHNOLOGY FUND

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August 7, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

Joint Application of Charter Communications, Inc., Charter Communications Holdings, LLC, and Cox Enterprises, Inc. for 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

NOTICE OF EX PARTE COMMUNICATION OF CALIFORNIA EMERGING TECHNOLOGY FUND

Pursuant to Commission Rules of Practice and Procedure Rule 8.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure ("Rules"), the California Emerging Technology Fund ("CETF") hereby files an ex parte notice and is noticing the parties, the A.25-07-016 service list, and the affected Commissioners' offices. The purpose of the three ex parte meetings was to discuss the Proposed Decision ("PD") and the Alternate Proposed Decision ("APD"), the latter of which is preferred by CETF because it preserves its settlement agreement as negotiated with Charter in a faithful manner.

An ex-parte virtual meeting was held by CETF with Commissioner Matthew Baker, Advisor Stephen Neal, and Interim Chief of Staff Michael Mullaney of President John Reynolds' office. The meeting took place on August 5, 2026 from 8 a.m. to 8:35 a.m. The CETF attendees were:

- Sunne Wright McPeak, CEO and President of CETF;
- Kat Zigmont, Senior Vice President, CETF; and
- Rachelle Chong, Special Outside Counsel, CETF.

Sunne McPeak described the effort and time that went into developing the Charter – CETF settlement agreement, which is "appropriate, fair and comparable" compared to other communications consolidation settlements in the past. CETF and Charter have worked together in the past relating to Charter's prior settlement with CETF in 2016 when it acquired Time - Warner Cable and Bright House. This level of trust assisted in bringing the two parties together on a very comprehensive settlement agreement producing a broad variety of significant public benefits. One major focus of CETF was to obtain a standalone $20/month low income offer without any required waiting period at 100/20 Mbps. broadband speeds and related marketing commitments including in-language and in-culture advertising by ethnic media. CETF also secured $275 million in infrastructure commitments to upgrade the Charter legacy area to 1 gigabit symmetrical speeds; Inclusion Diversity and Equity commitments comparable to Verizon/Frontier settlement; a robust $30 million contribution to CETF for Digital Inclusion programs ($27.5 million of which will go to community based organizations and public agencies for digital inclusion and digital literacy training; $2.5 million to the Green Technology Initiative to refurbish more computers for provision at low cost to low-income households); as well as free service by Charter to 50 public WiFi access spots for community anchor institutions. CETF took on commitments itself to make good faith efforts to bring 100,000 unconnected and underconnected households online.

Ms. McPeak praised Cal Advocates' Settlement Agreement which secured a new standalone $50 per month affordable broadband plan at 500/20 Mbps. speeds for 5 years as well as commitments on promotional offer pricing which will save consumers millions of dollars. She asked that the APD be approved on August 13th to not alter the two settlement agreements reached by CETF and Cal Advocates.

Ms. Chong further described why CETF did not opt into or out of the Joint Settlement Agreement proposed in the PD by the ALJ's deadline of 15 days for procedural reasons and because CETF does not believe the so-called subordination clause in Section XI of its agreement causes any conflict issues. There were no written materials presented to the Commission attendees.

An ex-parte virtual meeting was held by CETF with Advisor Julian Buchwalter of the Office of Commissioner Karen Douglas, and with Deputy Chief of Staff and Advisor Victor Smith of the Office of Commissioner Darcie Houck. The meeting took place on August 5, 2026 from 1 p.m. to 1:30 p.m. The CETF attendees were:

- Sunne Wright McPeak, CEO and President of CETF;
- Kat Zigmont, Senior Vice President, CETF; and
- Rachelle Chong, Special Outside Counsel, CETF.

Sunne McPeak described how CETF and Charter Communications spent many months negotiating at arm's length and in good faith to resolve CETF's concerns on three main areas: Infrastructure, Affordable Offers, and Digital Inclusion funding relating to the proposed Charter Cox transaction. CETF and Charter reached a final agreement on the eve of the four days of evidentiary hearings. The Public Benefits Settlement Agreement between CETF and Charter resolves all of CETF's concerns relating to the Transaction, due to significant public benefits to consumers, particularly rural consumers, low-income households, Environmental and Social Justice (ESJ) communities, Tribes, and people with disabilities, which outweigh any public detriments.

Ms. McPeak described the Tribal commitments obtained by CETF from Charter and noted that unlike Frontier, Charter does not have any Tribes in its franchise area. She also discussed the many public benefits under the comprehensive CETF Public Benefits Agreement that will help minorities, low-income, people with disabilities, and other disadvantaged communities consistent with the Commission's ESJ goals. Ms. Chong described why CETF did not opt into or out of the Joint Settlement Agreement proposed in the PD by the ALJ's deadline of 15 days for procedural reasons and because CETF does not believe the so-called subordination clause in Section XI of its agreement causes any conflict issues.

The parties engaged in discussion of the APD's proposed mitigation measures, including the issue relating to the Public Educational and Government ("PEG") channels provided under California DIVCA law, and ensuring there are reasonable time limits (e.g. five years which is comparable to past CETF settlements) on any mitigation measure so as not to skew competition, particularly on industry issues like service quality and outage credits. There were no written materials presented to the Commission attendees.

An ex-parte virtual meeting was held by CETF with Advisor Andrew Klutey of the Office of Commissioner Christine Harada. The meeting took place on August 6, 2026 from 11 a.m. to 11:32 a.m. The CETF attendees were:

- Sunne Wright McPeak, CEO and President of CETF (joining for the last 7 minutes); and
- Rachelle Chong, Special Outside Counsel, CETF.

Ms. Chong described the effort and time that went into developing the Charter – CETF Settlement Agreement, and requested that Commissioner Harada to support the APD which preserves the CETF and Cal Advocates Settlement Agreements. She emphasized that CETF and Charter have worked together relating to Charter's prior settlement with CETF ten years ago when it acquired Time -Warner Cable and Bright House. Charter and CETF have a level of trust which assisted in enabling CETF to work with Charter over months to achieve a comprehensive settlement agreement producing a broad variety of significant public benefits. One major focus of CETF was to obtain a standalone $20/month low income offer without any required waiting period at 100/20 Mbps. broadband speeds, as well as $275 million in infrastructure commitments to upgrade the Charter legacy area to 1 gigabit symmetrical speeds. CETF also negotiated to obtain Inclusion Diversity and Equity (General Order 156) commitments comparable to Verizon/Frontier settlement, a robust $30 million contribution to CETF for Digital Inclusion programs ($27.5 million of which will go to community based organizations and public agencies for digital inclusion and digital literacy training; $2.5 million to the Green Technology Initiative to refurbish more computers provide at low cost to low-income households), as well as free service by Charter to 50 public WiFi access spots for community anchor institutions. CETF took on commitments itself, namely to work with community partners to bring 100,000 unconnected and underconnected households online.

CETF is also very supportive of Cal Advocates' Settlement Agreement with Charter which secured a new standalone $50 per month affordable broadband plan at 500/20 Mbps. speeds for 5 years, as well as commitments on promotional offer pricing which will save consumers hundreds of millions of dollars. Ms. Chong noted that CETF and Cal Advocates held joint settlement discussions with Charter to discuss the affordable offers and the promotional price commitment of Charter. Ms. Chong described why CETF did not opt into or out of the Joint Settlement Agreement proposed in the PD by the ALJ's deadline of 15 days for procedural reasons and because CETF does not believe the so-called subordination clause in Section XI of its agreement causes any conflict issues.

Ms. McPeak emphasized that CETF and the City of San Diego ("City") worked together to bring to the attention of Charter the City and Cox's agreement for service to the City's public WiFi access points, to ensure there is potential continuity of service to these important public access WiFi points. She further emphasized that the $30 million in Digital Inclusion funds for CETF will principally be distributed to community-based organizations and public agencies for a variety of digital inclusion programs, with only $2.75 million going to the statewide Green Technology Initiative, which will increase refurbished computers. She urged the APD be adopted at the August 13th meeting so that consumer benefits would flow as soon as possible. There were no written materials presented to the Commission attendees.

Respectfully submitted,

/s/ Rachelle Chong

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