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

Application of American Broadband and Telecommunications Company LLC (U-4457-C) for Appeal	A.26-06-003 (Filed May 15, 2026)

AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY LLC'S (U-4457-C) REPLY IN SUPPORT OF ITS APPLICATION FOR APPEAL

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Pursuant to Rule 2.6(e) of the California Public Utilities Commission's (Commission) Rules of Practice and Procedure (Procedural Rules) and the Administrative Law Judge's Ruling dated July 28, 2026,[1] American Broadband and Telecommunications Company LLC (AMBT or the Company) respectfully submits its Reply in Support of Its Application for Appeal (Application).

I. INTRODUCTION

AMBT's Application for Appeal seeks reversal of the following actions taken by the Communications Division (CD) of the Commission because they are not supported by fact or law: (1) suspension of Service Provider Intake Application Programming Interface (SPIA) credentials and California LifeLine Program (LifeLine) payments in a Cease and Desist Notice and (2) issuance of a LifeLine subsidies recoupment letter. As detailed in this Reply, this matter is ready to be decided, and the Commission should grant the Application and promptly order the relief requested.

The Consumer Protection and Enforcement Division (CPED), the only entity to file a protest, inaccurately and unfairly asserts that AMBT's Application contains "false or misleading statements concerning AMBT's relationships" with three marketing partners and demonstrates a

[1] *See* Administrative Law Judge's Ruling Resetting Protest Period and Setting Prehearing Conference Date, A.26-06-003 (July 28, 2026).

"lack of candor." AMBT's Application is replete with documents and email messages that support the Company's recitation of facts, as well as with citations to Commission rules that support the Company's position that, at all times, AMBT has been the only LifeLine service provider to the subscribers for which AMBT has submitted claims for LifeLine reimbursement. In contrast, the CPED fails to cite any legal basis for its position (which it characterizes as being based on a "preliminary review") that AMBT allowed non-approved service providers to offer California LifeLine service. AMBT's position is that its marketing partners' activities do not cause them to fall within – or AMBT to fall outside of – the Commission's legal definition of a LifeLine service provider set forth in General Order 153-. This is a valid legal position based on the Company's application of the law to the facts, not evidence of a lack of candor. As such, the Commission should disregard the CPED's unfounded concern about AMBT's compliance with Commission Procedural Rule 1.1.

The CPED incorrectly asserts that it has not had the opportunity to complete a full review so its Protest is only based on a preliminary review of the Application.[2] As explained below, the procedural history demonstrates that (a) the CPED has had ample opportunity and more than sufficient time to review the Application and to determine facts that are the grounds for its Protest, and (b) that this matter is ready for a decision. As such, there is no good reason to further delay this matter by holding the Application in abeyance as the CPED suggests. Indeed, there is every good reason to expedite resolution and grant of the Application, as AMBT had

[2] *See* Protest, at 1-2, and 9.

ceased all challenged marketing as of November 6, 2025,[3] and complied with the CD – while CD's actions continue to imperil AMBT and the LifeLine subscribers it serves. The CPED also relies on incomplete, unsupported, or misconstrued factual assertions to support its position that AMBT's SPIA access and receipt of LifeLine reimbursements should not be restored and the recoupment letter should remain in effect.

II. THE APPLICATION FOR APPEAL, WHICH IS LIMITED TO A REVIEW OF THE COMMUNICATIONS DIVISION'S ACTIONS AGAINST AMBT, IS READY FOR A DECISION

In its Protest, the CPED asserts that it has only conducted a "preliminary review,"[4] that it anticipates modifying or supplementing its statement of issues if other issues arise in the course of discovery,[5] and that it "has not been given the opportunity to fully review and identify preliminary issues that may be disputed issues of fact."[6] The CPED also asserts that it "holds the right to request access to the unredacted versions of the Application and attachments."[7] The procedural history of this matter belies the CPED's claim that it lacked the opportunity to conduct a complete review of this matter. The CPED raises no legitimate reasons for further delaying this matter. The Application is ready for a decision.

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[3] *See* Application, Exhibit 23 (Advice Letter No. 39), Declaration of Jeffrey Ansted, ¶ 3 ("Although AMBT's agreement with SurgePays previously permitted SurgePays to market AMBT's LifeLine services using the "powered by" disclosure model in California, SurgePays had not done so. Prior to November 2025, Volt Mobile ceased marketing AMBT's LifeLine services using the "powered by" model in California. On November 6, 2025, Unity Wireless ceased marketing AMBT's LifeLine services using the "powered by" model in California.").

[4] Protest, at 1 and 2.

[5] Protest, at 2.

[6] Protest, at 9. The CPED's statement that it has not had the opportunity to fully identify preliminary issues that may be disputed issues of fact directly contradicts its claim that AMBT misled the Commission by its description of the facts. If the CPED is still determining disputed issues of fact, then it has no justification for raising a serious allegation about AMBT's candor with this Commission.

[7] Protest, at 2 n.2.

As an initial matter, AMBT notes that this proceeding, while styled as an "Application," is an appeal focused solely on the CD's actions that were based on the CD's investigation, not a new proceeding that opens an investigation. AMBT used the application process to challenge the CD's actions taken under the Cease and Desist Notice and recoupment letter in accordance with instructions from the Legal Division and after the CD Staff advised that there was no appeals process to challenge the CD's actions.[8] The Commission should deny the CPED's attempts to expand the scope of this proceeding beyond the matters set forth in the Application. The Commission should also foreclose CPED's request for discovery in this proceeding. The CD already conducted an investigation (including the issuance of data requests to which AMBT has responded) and determined that it had discovered facts that it believed to justify issuance of a Cease and Desist Notice memorializing the CD's decision to suspend AMBT's SPIA access and payment of LifeLine reimbursements and issuance of a recoupment letter. Only these foregoing actions taken by the CD are under review in this proceeding, so there is no need for discovery regarding AMBT. Indeed, the only additional discovery that could be warranted would be the identification and production of all documents in possession of and communications among the Commission Staff regarding AMBT.

The CPED's assertion that it was not given the opportunity to fully review and identify disputed issues of fact is contradicted by the procedural history and the CPED's presence in this proceeding. AMBT re-filed its Application on June 3, 2026, and it appeared in the

[8] *See* Application, at 3-4.

Commission's Daily Calendar on June 8, 2026.[9] AMBT also filed a Motion for Leave to File under Seal related to the Application on June 3, 2026, and that motion was published in the docket on June 8, 2026. Therefore, the CPED was aware of the Application and its accompanying Motion for Leave to File under Seal since June 8, 2026 (at a minimum). Under Commission Procedural Rule 2.6(a), a protest or response to the Application was due July 8, 2026 (30 days after the date the notice of the filing of the Application first appears in the Daily Calendar). However, during a status conference on July 7, 2026 (at which the CPED appeared), Administrative Law Judge Toy directed AMBT to consider filing an amended public version of the Application that redacts confidential commercial and financial information.

On July 9, 2026, AMBT filed a significantly less redacted public version of the Application and an amended Motion for Leave to File under Seal. Both documents were published in the docket on July 15, 2026. On July 28, 2026, Administrative Law Judge Toy issued a ruling ordering August 27, 2026, as the date by which a protest or response to the Application was due. As a result, the CPED had at least 43 days (from the July 15 date of publication) to file a protest (as opposed to the approximately 30 days allowed under Commission Procedural Rule 2.6(a)) which is substantially more than sufficient time to fully review and identify disputed issues of fact. Furthermore, the CPED did not file an opposition to AMBT's Motion for Leave to File under Seal associated with the Application filed on June 3, 2026 (when AMBT re-filed the Application) or on July 9, 2026 (when AMBT filed an amended public version of the Application) nor did it contact AMBT to request a confidential version of

[9] AMBT initially filed the Application for Appeal and a Motion for Preliminary Injunction, each with an accompanying Motion for Leave to File under Seal, on May 15, 2026. However, due to a mistake by the Docket Office, the Application for Appeal and Motion for Preliminary Injunction were placed in separate dockets. To correct this error, the Docket Office removed both dockets and requested AMBT to re-file all documents which AMBT did on June 3, 2026.

the Application. Thus, the CPED's statement that it "holds the right to request access to the unredacted versions of the Application and attachments" is inconsistent with its assertion that it needs to be "given the opportunity to fully review the unredacted Application and attachments." The CPED's choice not to challenge AMBT's request for confidential treatment of certain portions of the Application nor to request the confidential version of the Application negates its assertion that it needs more time to review the Application and that the Commission should consider holding the Application in abeyance while the CPED completes an investigation that it has not started and which is not the subject of this Application for review of the CD's actions. Furthermore, CD's investigation, which has been ongoing for the past year, led the CD to take actions starting in November 2025 that are the subject of this Application. CPED's request to further delay resolution of the Application, which is narrowly focused on the CD's actions, must be denied.

AMBT further notes the absence of the CD in this proceeding. While members of the CD have requested to receive copies of filings in this docket, they are part of the "Information Only" section of the service list and are not identified as parties, and they have not filed a protest or response to the Application. Commission Procedural Rule 8.1(d) provides that "Party" includes any Commission staff assigned to a proceeding in an advocacy capacity, but AMBT is not aware of CD Staff being assigned to this proceeding. The only Commission Staff that were assigned to the proceeding are members of the Utilities Enforcement Branch, which falls under the CPED, but the listed individuals have not made an appearance in this case. While CPED is a party because it filed the Protest,[10] it is not clear that CPED is representing the CD in this proceeding. Indeed, if CPED is acting as CD's counsel, then it would have had access to the

[10] *See* Commission Procedural Rule 1.4(a)(2)(i).

confidential version of the Application when it was initially served on May 15, 2026. Given that the CD has chosen not to protest or otherwise respond to the Application with the schedule set by Administrative Law Judge Toy, it is barred from raising any arguments in support of its actions under review here.[11]

III. THE CPED's ASSERTED BASES FOR PROTEST ARE NOT SUPPORTED BY FACT OR LAW

The CPED focuses its Protest on unsupported assertions that AMBT's marketing partners were enrolling California LifeLine customers using their brand names and providing LifeLine service pursuant to AMBT's authority as a LifeLine service provider.[12] While the CPED provides no legal citation to support its position that AMBT's marketing partners were providing LifeLine service using AMBT's authority, AMBT explains in detail in the Application that AMBT, not its marketing partners, is the LifeLine service provider because the Company has been designated by the Commission and such and is responsible for and meets all the required service elements for California LifeLine Wireless Service Provider as set forth in General Order 153-A, Appendix A-2.[13] Regarding the use of unapproved brand names and failure to properly submit marketing materials, AMBT is not aware of Commission precedent that supports the harsh sanctions imposed by the CD, let alone the continuation of such long after the contested conduct has ceased.

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[11] *See Re Pac. Gas & Elec. Co.*, 81 CPUC 2d 479, Decision 98-07-104, 1998 WL 673200 (Cal. P.U.C. July 23, 1998) ("ETAG had the opportunity at that time to point out these 'errors' but failed to do so. As such, it has waived this argument."); *Re Pacific Gas & Electric Co.*, 77 CPUC 2d 38, Decision 97-11-083, 1997 WL 781779 (Cal. P.U.C. Nov. 19, 1997) (finding that a party was "barred from raising" new arguments on an application for rehearing because they "elected to forego raising" them in comments to a proposed decision).

[12] *See* Protest, at 3.

[13] *See* Application, at 20-30.

A. AMBT's Omission of SurgePays from a Draft Customer Notice Was Appropriate and It Does Not Impact Its Compliance with the Cease and Desist Notice

As required by the Cease and Desist Notice, AMBT filed an Advice Letter that included a declaration confirming that the partnerships the CD considers to be objectionable have been terminated and that AMBT's terms and conditions have been removed from those partners' websites. AMBT's Advice Letter also attached signed addendums to the relevant agreements as support for the declaration. In addition, the Advice Letter included two draft customer notifications. Attempts to agree with the CD Staff on a proposed customer notification were not successful, so AMBT included two options in the Advice Letter at the direction of CD Staff counsel.[14] The CPED notes that the draft customer notice did not include SurgePays as a non-approved service provider.[15]

While AMBT continues to disagree with the CD that Unity Wireless and Volt Mobile were unauthorized LifeLine service providers, AMBT did offer LifeLine service under those brand names. AMBT did not offer LifeLine service in California using the USA Phone brand name (associated with SurgePays). As described in the Application and supported by a declaration, SurgePays only marketed under AMBT's American Assistance brand in California.[16] AMBT further notes that SurgePays solely facilitated in-person enrollments in California (as opposed to online) and all enrollment representatives had Representative

[14] *See* Application, at 16-17.

[15] The draft customer notices referenced Unity Wireless and Volt Mobile as being brands that were not authorized, not as being companies that were unauthorized LifeLine service providers. *See* Application, Exhibit 23. CD's rejection of the Advice Letter on July 24, 2026, does not moot AMBT's compliance with the CD.

[16] *See* Application, at 8-9, 14, 20; *see also* Application, Exhibit 18 (attaching a declaration from SurgePays certifying that in California, the company only marketed under AMBT's American Assistance brand and did not market under a "powered by" arrangement).

Accountability Database (RAD) IDs associated with AMBT.[17] None of AMBT's enrollments were facilitated by an enrollment representative with a RAD ID associated with a carrier other than AMBT.

The CPED offers no valid proof for its assertion that SurgePays, Unity Wireless, and Volt Mobile were providing LifeLine services to AMBT's subscribers using AMBT's Commission granted authority to be a LifeLine service provider.[18] Instead, the CPED focuses on a single email (which AMBT later clarified) in which AMBT identified its marketing partners as service providers in response to a request from the Third Party Administrator (TPA) to provide the company's California LifeLine marketing or brand names. However, as the CPED acknowledges, AMBT subsequently explained to the TPA that although various brand names were listed under the "ServiceProviderName" column, those names referred only to brand names and not to service providers.[19] Thus, the CPED's reference to this exchange between AMBT and the TPA does not support a conclusion that the marketing partners are actually LifeLine service providers. Saying so repeatedly without factual and legal support does not make it so.

B. AMBT's Failure to Secure Approval for Certain Brand Names and Marketing Materials Does Not Justify the Severe Sanctions Imposed on AMBT.

The CPED claims that AMBT's failure to submit marketing materials regarding the use of brand names could not be an administrative error because AMBT previously filed an advice letter regarding use of the Your Call Wireless brand. Once again, this assertion is belied by the

[17] Although RAD IDs are used to validate the identities of enrollment representatives that perform transactions related to the federal Lifeline program, AMBT offered California LifeLine and federal Lifeline to eligible California households. As noted above, all enrollment agents working in California to facilitate enrollments in AMBT's service had RAD IDs which were associated with AMBT.

[18] *See* Protest, at 3.

[19] *See* Protest, at 3.

actual facts on record. AMBT's omission was not intentional, and it does not in any event magically transform AMBT's marketing partners into LifeLine service providers. Moreover, AMBT's error in not obtaining the CD's approval of marketing materials or brand names does not justify suspension of AMBT's SPIA credentials, denial of LifeLine discount reimbursements, and recoupment. Consistent with General Order 153-A, in every instance, a TPA-verified eligible LifeLine subscriber was provided LifeLine service by AMBT under a CD-approved AMBT LifeLine plan.

As stated in the Application, AMBT is not aware of any relevant Commission precedent that supports the serious sanctions imposed by the CD.[20] However, AMBT notes that pursuant to Resolution T-17601, adopted by the Commission on June 21, 2018, the CD has implemented a citation program for enforcing telecommunications carrier compliance with the Commission's Resolutions, Decisions, Orders, and the Public Utilities Code. Under the CD's citation program, CD Staff will issue a citation to a service provider when a violation is identified. Within 30 days after the citation date the service provider must either: (1) correct the violation and remit the full amount of the penalty with notice to Staff; or (2) file and serve a Notice of Appeal. Appendix A of Resolution T-17601 sets forth specified violations and a maximum penalty schedule. Among those specified violations is a failure to submit an advice letter required to implement a name change with a maximum penalty of $1,000. AMBT submits that a failure to seek approval for the use of a brand name and use of associated marketing materials falls within the category of failure to submit an advice letter for a name change and could be addressed through a citation. Even if the CD disagrees, the maximum penalty of $1,000 associated with a failure to advise the

[20] *See* Application, at 31. AMBT further notes in the Application that the Commission had been advised of its marketing partnership with Unity Wireless (but the email had apparently been addressed to an incorrect address) and that the CD has not alleged that marketing materials used by Unity Wireless or Volt Mobile were inaccurate or misleading. *See id.*

Commission of a name change indicates that the Commission views the violation as a serious matter, but does not believe a company needs to receive a harsh sanction. Similarly, AMBT's failure to file an advice letter regarding new brand names or to submit the associated marketing materials does not warrant the severe punishment imposed by the CD on AMBT and the threat of sudden service disruption under which it has placed AMBT's California LifeLine subscribers for nearly a year.

C. AMBT's Marketing Partners Are Not LifeLine Service Providers

The CPED echoes the CD's factually and legally unsupported claim that "SurgePays/USA Phone, along with Volt Mobile and Unity Wireless, enrolled Lifeline customers using their respective brand names and under AMBT's authority without obtaining Commission approval."[21] In support of that misguided claim, the CPED suggests that Unity Wireless and Volt Mobile's "active operating authority" from the Commission in 2025 demonstrates that they had the "technical capability to provide telephone service," which somehow rendered them "more than just marketing partners" and LifeLine service providers.[22] As to SurgePays, the CPED states that SurgePays "isn't registered to operate in California and does not have authority to offer LifeLine service under their brand name," and that 54% of AMBT's total enrollments were using the SurgePays brand name. Despite these conflicting and inaccurate factual assertions (no AMBT LifeLine subscribers were enrolled using any SurgePays brand names), the CPED reaches the same erroneous conclusion for each of the three AMBT marketing partners. AMBT has always been the LifeLine service provider for its LifeLine

[21] *See* Protest, at 3.

[22] *See* Protest, at 5.

subscribers, while Unity Wireless, Volt Mobile, and SurgePays have only been AMBT's marketing and distribution partners.

Whether Unity Wireless and Volt Mobile had "active operating authority" issued by the Commission is both doubtful and irrelevant. The CPED's premise that the Commission grants wireless service providers "active operating authority" is undermined by federal law which bars the Commission from regulating market entry by commercial mobile radio service providers.[23] And even though Unity Wireless and, at some point, Volt Mobile had successfully registered to provide wireless service in California, the simple fact of registration says absolutely nothing about whether they provided LifeLine service to AMBT's California LifeLine subscribers. Similarly, the fact that SurgePays is not registered to provide wireless service in California and does not have authority to offer LifeLine service has no bearing on whether it provided LifeLine service to AMBT's California LifeLine subscribers. None of these companies provided LifeLine service.

AMBT was the LifeLine service provider during the time period in question. As AMBT has already explained, which the CPED fails to dispute, SurgePays was a marketing partner that only marketed under AMBT's American Assistance brand in California and Unity Wireless and Volt Mobile were marketing partners that merely promoted AMBT's LifeLine service by indicating that their brands were "powered by" AMBT.[24] Along with certain disclosures, and in accordance with federal law, the "powered by" model used by Unity Wireless and Volt Mobile

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[23] 47 U.S.C. § 332(c)(3) mandates that "no State or local government shall have any authority to regulate the entry of or the rates charged by any commercial mobile service or any private mobile service, except that this paragraph shall not prohibit a State from regulating the other terms and conditions of commercial mobile services." Therefore, the Commission's registration requirements for wireless carriers does not bestow "active operating authority" on any of them.

[24] *See* Application, at 21.

identified AMBT as the LifeLine service provider and advised that the LifeLine service was subject to AMBT's terms and conditions, and it did not indicate that Unity Wireless and Volt Mobile were LifeLine service providers.[25] Unity Wireless and Volt Mobile did not provide any LifeLine service to AMBT's subscribers, and they did not utilize AMBT's LifeLine service provider designation and authorization.[26] Indeed, in the TPA's records, AMBT's LifeLine subscribers are only associated with AMBT's Operating Company Number (OCN) – no other OCN is associated with the LifeLine subscribers AMBT has claimed. The fact that Unity Wireless and Volt Mobile may have had the "technical capability" to provide communications services does not mean that they provided LifeLine services to AMBT subscribers.[27]

The uncontested facts clearly demonstrate that AMBT, among other things, managed its own enrollment platform with assistance from CGM, activated the network connection for its subscribers, distributed devices, processed and certified all LifeLine claims, and provided customer service. There is no support for concluding that subscribers who were enrolled through a platform to which only AMBT's designated vendor (CGM) held credentials and who were enrolled under AMBT's OCN were nonetheless being enrolled on behalf of another service

[25] *See* Application, at 21.

[26] *See* Application, at 21.

[27] *See* Application, at 21–24.

provider. The CPED has failed to meaningfully dispute that AMBT was the LifeLine service provider for its own subscribers.[28]

D. The Communications Division Should Withdraw the Recoupment Letter

The CPED asserts that AMBT's disagreement with the CD's determination that certain claims for reimbursement were associated with unauthorized entities is not a basis to invalidate the recoupment letter. The CPED also states that AMBT's request to the TPA to remove its marketing partners' names from the list of brand names does not cure the prior use of those brand names.[29] AMBT's "disagreement" with the CD's decision about the validity of certain claims is not the reason the recoupment letter should be withdrawn. Rather, the recoupment letter should be withdrawn because it was based on a factually and legally unsupported conclusion that AMBT's marketing partners had been acting as unauthorized LifeLine service providers because they allegedly "performed core LifeLine service functions including enrollment, customer service, distribution of devices, and service activation" and because AMBT "transferred most of the LifeLine subsidies" to these entities.[30] As detailed in the Application,

[28] *See* Application, at 20–30. The CPED also notes that the increase in enrollment by allegedly unauthorized service providers coincided with the increase in complaints between July 2025 and September 2025. *See* Protest, at 6. While the Cease and Desist Notice referenced complaints about LifeLine transfers without affirmative customer consent, unauthorized service disconnections, and failure to provide mobile devices upon enrollment, the CD has not provided AMBT with any details about the complaints nor has it advised AMBT that it has determined that any of the complaints were valid or that violations have in fact occurred. AMBT requested copies of the complaints, but they have not been provided. Without knowing the names of the subscribers, AMBT has been unable to defend itself with proof that it had consents for all benefit transfers and that disconnections were performed for valid reasons. Furthermore, AMBT is not required to provide free mobile devices to LifeLine subscribers so there is no legal basis for finding any violations. *See* Application, at 7-8.

[29] *See* Protest, at 7. The CPED falsely states that AMBT admitted that it did not receive approval for SurgePays marketing material. *Id.* at 6. AMBT did not make such an admission. SurgePays only marketed AMBT's LifeLine service using AMBT's previously approved American Assistance brand name and marketing materials, and therefore, did not need approval of separate SurgePays marketing materials. *See* Application, at 31.

[30] *See* Application, at 20 and Exhibit 3 (the recoupment letter).

AMBT has been the LifeLine service provider, as defined in General Order 153-A, Appendix A-2, for all subscribers for which it has filed reimbursement claims.[31] The CPED has offered no factual or legal support opposing AMBT's position.

E. The Communications Division Should Restore SPIA Access

The CPED raises no persuasive argument to counter AMBT's request for immediate restoration of SPIA access. First, the CPED claims that AMBT has not complied with all requirements in the Cease and Desist Notice while simultaneously asserting that such compliance would not cause the CD to restore access.[32] AMBT has fully complied with the corrective actions required by the Cease and Desist Notice by responding to the data request included in the notice and by submitting an Advice Letter that included a declaration from AMBT confirming that (1) it has amended the terms of its agreements with SurgePays, Unity Wireless, and Volt Mobile to terminate those provisions that would have permitted the companies to market AMBT's LifeLine service using a brand name other than American Assistance, and (2) AMBT's Commission Staff-approved terms and conditions for LifeLine service have been removed from those companies' websites. As requested by CD Staff, the Advice Letter also offered two alternatives for the customer notice.[33] The CPED does not state how AMBT failed to comply with the Cease and Desist Notice other than that it did not mention SurgePays in the draft customer notices.[34] As detailed above, AMBT's omission of SurgePays from the draft customer notices was appropriate and does not affect its compliance with the Cease and Desist Notice.[35]

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[31] *See* Application, at 20-30.

[32] *See* Protest, at 7-8.

[33] *See* Application, at 16-17.

[34] *See* Protest, at 2-3.

[35] *See supra* p. 8.

Second, the CPED asserts that suspension of AMBT's SPIA access should continue because AMBT allowed non-approved service providers to offer LifeLine service under AMBT's authority.[36] The CPED relies on the "CD's findings" for this position – findings that AMBT has thoroughly refuted in the Application. The CPED also claims that the scale of impact and severity of harm support continued suspension, but this has no basis given that AMBT ceased the activity described in the Cease and Desist Notice within days. The CPED then states that AMBT's compliance with corrective measures in the Cease and Desist Notice does not warrant restoration of AMBT's SPIA access. A permanent suspension of SPIA access (which is not contemplated in the Cease and Desist Notice) would defeat the purpose of the Cease and Desist Notice, which was to advise AMBT of suspected violations so that it could take the corrective actions it has already taken.

Third, the CPED points out that AMBT does not have an approved advice letter authorizing its use of SPIA as required by Administrative Letter 10.[37] The CPED misconstrues how Administrative Letter 10 relates to a California LifeLine service provider's SPIA access. Administrative Letter 10 required all California LifeLine service providers to file an advice letter to maintain existing or to request new SPIA credentials. However, so long as a California LifeLine service provider filed an advice letter by November 14, 2025, it could continue to use its SPIA credentials.[38] On November 14, 2025, AMBT filed an advice letter in response to Administrative Letter 10. The advice letter remains pending because the CD extended the time

[36] *See* Protest, at 8.

[37] *See* Protest, at 8; Mandatory Process for the Service Provider Intake Application Programming Interface (SPIA) Credentials, October 10, 2025 (Administrative Letter 10).

[38] *See* Administrative Letter 10, at 2 (failure to submit an advice letter by the deadline will result in suspension of the provider's SPIA access).

for its review until October 12, 2026. AMBT's current lack of SPIA access is due to the CD's unilateral actions that are being appealed and is not related to Administrative Letter 10.

Finally, AMBT strongly disputes CPED's statement that suspension of SPIA credentials does not prevent AMBT from providing LifeLine service. As stated in AMBT's Motion for Preliminary Injunction, the CD's suspension of AMBT's SPIA access has severely compromised AMBT's ability to enroll new customers in California LifeLine because SPIA access is required to efficiently enroll subscribers and provide AMBT with the ability to compete in the LifeLine market.[39] Denying AMBT SPIA access impedes eligible California LifeLine applicants from enrolling in LifeLine with AMBT for no evidenced based or other justifiable reason.

[39] *See* Motion for Preliminary Injunction, at 36-38 (explaining why the manual enrollment process is not a viable alternative due to the delays and costs associated with the process).

IV. CONCLUSION

For the foregoing reasons, and the reasons set forth in the Application and this Reply, AMBT respectfully requests that the Commission grant its Application and issue a decision ordering the CD to: (1) withdraw the Recoupment Letter; (2) immediately restore AMBT's access to SPIA; (3) immediately approve the payment of AMBT's claims for LifeLine reimbursement for service provided during the periods of September 2025 to the present; (4) approve the payment of interest based on the Three-Month Commercial Paper Rate for AMBT's claims for LifeLine reimbursement that were approved, but withheld or subject to recoupment; and (5) process AMBT's claims for LifeLine reimbursement going forward. AMBT also requests the Commission order such other relief that the Commission deems to be just and proper.

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