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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Proceeding to Consider Service Quality Rules for Wireless Carriers	Rulemaking 26-02-017

REPLY COMMENTS OF CTIA ON STAFF PROPOSAL

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Pursuant to the Administrative Law Judge's Ruling Issuing Staff Proposal of August 8, 2026 ("Order") in this docket, CTIA provides these reply comments in response to the opening comments on the Communications Division's Staff Proposal ("Staff Proposal") and other issues raised in the Order.

I. INTRODUCTION AND SUMMARY.

The Commission has two questions before it in this docket: (1) "whether the Commission should adopt service quality metrics and standards for wireless carriers," and (2) "if they are determined to be necessary, what those rules should be."[1] The record before the Commission does not support a need to adopt wireless service quality rules, and it particularly does not support the rules in the Staff Proposal. The record shows that wireless service quality rules are not needed, but even if the record were misinterpreted to show the opposite, the Staff Proposal does not define the extent of any alleged, correctible problems or the solutions it is intended to achieve. Worse of all, the Staff Proposal would cost *billions*. The Commission is required to weigh these *billions* of dollars of costs against the alleged benefits the Staff Proposal is

[1] Order Instituting Rulemaking, Rulemaking ("R.") 26-02-017, at 11 (March 2, 2026) ("OIR").

anticipated to achieve. Lacking any detail regarding its anticipated benefits, the Staff Proposal cannot lawfully be adopted.

The Staff Proposal contains numerous fundamental flaws. First, it presumes that, because wireless service is important to consumers, wireless service quality regulations are needed. Yet the record shows that wireless service is reliable—prolonged outages are rare; outages overall are declining; wireless technology and federal rules ensure the availability of 911 calling and Wireless Emergency Alerts ("WEAs"); and wireless network performance is steadily improving year over year even as wireless prices decline. The record also shows that most wireless outages result from causes outside wireless providers' control, with nearly half caused by backhaul failure alone. Nevertheless, the Staff Proposal proposes specific metrics and standards for wireless outages and "network availability" without any basis to conclude that its proposed regulations would reduce outages or, if so, to what degree.

Regarding customer service, the Staff Proposal argues that regulations are necessary despite presenting only a handful of hearsay anecdotes to support its assertions, then proposes extensive constraints on how wireless providers provide customer care. The Staff Proposal offers no support for how the specific metrics were selected (and Staff confirmed at the second Workshop that there is none); the magnitude of the issues they are intended to address; if there are such issues, the extent of the correction the proposed metrics are expected to garner; and why they are more onerous than the customer service rules in General Order ("G.O.") 133-E. Troublingly, these constraints could result in customers' receiving *less* effective customer service and at an unjustifiably high cost. The Staff Proposal also ignores the Commission's prior decision not to require more detailed wireless maps due to the inherent "technological limitations" on mapping wireless coverage.[2]

The Staff Proposal's attempt to justify its imposed costs is, essentially, because wireless providers are large corporations, and because the extent to which the additional costs of all these regulations will appear on consumer bills cannot be predicted. Yet wireless providers are not rate-regulated utilities, and the record establishes that such costs are likely to be staggering.

The opening comments in response to the Staff Proposal confirm that service quality metrics and standards are not needed for wireless providers and, further, that the record does not support the specific rules in the Staff Proposal. Comments supporting the Staff Proposal provide no data or any other evidentiary basis to support the proposed regulations. Some also argue that the rules should be even more onerous, but offer merely anecdotes and opinions in support, as they have throughout this proceeding.[3] By contrast, CTIA's and wireless providers' opening comments make clear that:

- Wireless networks are reliable and the Staff Proposal fails to identify how reliability could be improved through its proposed penalties;
- The proposed "Network Availability by [Public Use Microdata Area]" ("PUMA") standard is not sufficiently defined to implement and would collect outage data that is *less* granular than existing Cal OES outage reporting at the ZIP code level;
- There is no evidentiary basis for wireless customer service standards at all, let alone for the specific customer service standards proposed, and those requirements would degrade customer service, not improve it;

[2] Decision ("D.") 22-03-016 at 163-164.

[3] A review of the filings and Workshop participation by Cal Advocates, TURN, CforAT, and SBUA reveals that they have submitted no appreciable data or other evidence in support of their positions, other than summarizing a handful of comments already in the docket card. Cal Advocates also attached a copy of its 2022 comments in R.22-03-016, which contained 2021 American Consumer Satisfaction Index data that was not specific to wireless service.

- Detailed maps of wireless providers' coverage, including signal propagation maps, are already available, and the proposed mapping rules would foster consumer confusion; and
- The regulations proposed in the Staff Proposal would cost *billions*.

The opening comments also emphasize that, to the extent that the Commission considers modifications to the Staff Proposal or new rules, it must develop a record on them before including them in a proposed decision.

For all these reasons, the Commission cannot and should not adopt the Staff Proposal.

II. THE OPENING COMMENTS CONFIRM THERE IS NO OUTAGE "PROBLEM" THAT THE PROPOSED RULES AND PENALTIES COULD ADDRESS.

The record developed in this proceeding shows that wireless networks are highly reliable, and the opening comments only reinforce this conclusion.

First, the opening comments demonstrate the lack of any substantial record to support a need for the Commission to establish prescriptive rules backed by penalties for wireless outages. CTIA and wireless providers presented evidence showing that wireless outages are declining, not rising.[4] The number of ZIP codes affected by such outages has declined year over year.[5] Wireless networks operated without community isolation outages 99.84% of the time in each of the last two years; stated another way, outages occurred on wireless providers' networks less than 0.2% of the time.[6] Outages exceeding the Staff Proposal's 24-hour standard accounted for less than 8% of all community isolation outages reported to the California Office of Emergency

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[4] Verizon Comments at 15; AT&T Comments at 27-28; T-Mobile Comments at 14; CTIA Comments at 3-4. Unless otherwise specifically noted, references herein to a party's "Comments" refer to that party's opening comments on the Order filed in this docket on Sept. 8, 2026.

[5] CTIA Comments at 3;*see* Declaration of Mark A. Settle, attached hereto as Attachment A, and chart captioned "Average Number of ZIP Codes in Cal OES Community Isolation Outage Reports," attached hereto as Attachment B.

[6] CTIA Comments at 3; *see* Declaration of Mark A. Settle, attached hereto as Attachment A, and chart captioned "Network Uptime," attached hereto as Attachment C.

Services ("Cal OES") during 2023–2025 (as the Staff Proposal itself acknowledges).[7] As T-Mobile points out, Staff affirmed at the August 27 Workshop that more than 60% of outages were restored within six hours and nearly 90% within 24 hours, such that "the restoration rate is actually quite solid."[8]

The opening comments also show that imposing onerous regulations and penalties for outages would not reduce the incidence or duration of wireless outages because most outages are caused by factors outside of wireless providers' control or are otherwise unavoidable. Outage data shows that nearly half of all wireless outages result from backhaul failure.[9] In addition, 16% result from loss of commercial power and 12% from unplanned maintenance, each of which can occur due to factors outside wireless providers' control. Another 10% of outages are attributable to planned maintenance, which is necessary to ensure reliable network performance and avoid greater incidences of outages.[10]

Commenters also established that outages longer than the Staff Proposal's 24-hour standard are often caused by factors outside wireless providers' control. For example, T-Mobile identifies backhaul as the cause of the majority of the 25 longest-duration outages,[11] and Verizon's review of ZIP codes with four or more outages exceeding 24 hours over the past three years found that none of the outages could have been restored within 24 hours because they were caused by backhaul damage or site access restrictions that prevented swifter restoration.[12]

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[7] Staff Proposal at 38.

[8] T-Mobile Comments at 10-11.

[9] CTIA Comments at 7; *see* Declaration of Mark A. Settle, attached hereto as Attachment A, and chart captioned "NORS Outage Reports – Causation (2023-2025)," attached hereto as Attachment D.

[10] CTIA Comments at 9.

[11] T-Mobile Comments at 16.

[12] Verizon Comments at 15.

The comments also show that there is no basis to deny the exemptions in General Order ("GO") 133-E to wireless providers, nor any basis for some commenters' proposals to require wireless providers to document or prove the applicability of any exemption to a particular outage. Recognizing that at least some outages are the result of circumstances beyond a provider's control, the Commission provided exemptions to wireline providers in GO 133-E for, among other things, declared states of emergency, natural catastrophes, active Public Safety Power Shutoffs, the 811 Underground Service Alert program, third-party cable cuts, cable theft and vandalism, and losses of commercial power exceeding backup requirements.[13] Neither the Staff Proposal nor any commenter provides any justification for why the same exemptions should not apply to wireless outages if the Commission were to subject wireless providers to these requirements (which, as discussed above, is not supported by the record).

The Commissioner presiding at the August 27 Workshop suggested providers should request the GO 133-E exemptions in comments.[14] As commenters note, however, even the GO 133-E exemptions do not capture every outage beyond wireless providers' control, including vandalism, damage caused by weather or pests, significantly delayed emergency declarations, and outages caused by active-shooter or hostage situations.[15] An outage standard without exemptions would thus impose strict liability that, as Verizon puts it, penalizes providers "even when they are victims of crime."[16]

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[13] G.O. 133-E, § 2.2(c).

[14] *See* AT&T Comments at 37; Verizon Comments at 35.

[15] CTIA Comments at 11.

[16] Verizon Comments at 16. Applying backup power requirements to wireless providers' control is beyond the Commission's jurisdiction in any event. *See* CTIA Comments at 57.

In the face of a contrary record, the supporting commenters would narrow the exemptions rather than extend them. TURN and RCRC/CforAT would carry over GO 133-E's bar on claiming power-outage exemptions in Tier 2 and Tier 3 High Fire Threat Districts[17]—even though the Commission has specifically recognized that backup power cannot or need not be provisioned at all wireless sites.[18] Cal Advocates would add a restriction not found in G.O. 133-E, requiring wireless providers to document each claimed exemption (for example, producing network-topology mapping to prove that redundancy was not possible to prevent a cable cut from causing an outage) and to give 7 to 14 days' advance notice of scheduled maintenance.[19] These commenters provide no evidence that these proposals are needed, reasonable, or feasible. They would force providers to litigate the cause of each outage after the fact, compounding the strict-liability problem, and they ignore that valid operational reasons (for instance, space, landlord, or zoning constraints) may make backup power unavailable even in a High Fire Threat District.

Cal Advocates and RCRC/CforAT also propose that wireless providers be required to issue "automatic customer credits" in response to outages, in addition to paying fines.[20] However, the record in R.22-03-016 showed significant practical problems with applying customer credits in the wireless context.[21] Moreover, as CTIA previously explained, the proposed customer credits would constitute unlawful rate regulation that is expressly preempted

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[17] TURN Comments at 5; RCRC and CforAT Comments at 7.

[18] *See* D.20-07-011 at 105-10 (wireless providers' Resiliency Plans must identify "facilities where it is not possible to deploy backup power" and "facilities that do not require 72-hours of backup power to maintain overall coverage and level of service").

[19] Cal Advocates Comments at 5.

[20] Cal Advocates Comments at 2; RCRC and CforAT Comments at 6-7.

[21] *See* Comments of CTIA on Phase One Staff Proposal, R. 22-03-016, at 8-12, 28-30, 45-48 (Sept. 3, 2024) ("CTIA 2024 Comments").

by Section 332(c)(3)(A) of the federal Communications Act.[22] The same factors preclude consideration of customer credits in this proceeding.

The Staff Proposal leans heavily on access to 911 and emergency alerts as a justification to impose fines for outages, and supportive commenters repeat these purported concerns.[23] But the record shows that reportable outages "do not provide any meaningful information about access to 9-1-1."[24] This is because a single carrier's outage does not leave consumers unable to reach 911 or receive alerts for several reasons. Under the FCC's "all calls" rule, any wireless carrier's network in range must carry a 911 call, even from a non-customer, so a person in an area where one carrier's network is down can still reach 911 through another carrier's network.[25] And WEAs are broadcast to all capable devices so long as any provider's network covers the area, the phone is turned on, and WEA messages have not been disabled by the customer.[26] Commenters also discuss overlapping coverage within networks and adjunct satellite service that maintain a basic level of voice, text, web, and WEA capability during a cell site outage.[27]

The premise is also overstated on its own terms. As T-Mobile points out, the Cal OES regulation defines a reportable community isolation outage as one that "limits," not "prevents," the ability to reach 911 or receive emergency notifications (19 CCR § 2480.2(a)), so a Cal OES report does not establish that a community was in fact cut off from emergency

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[22] *See id.*; *see also* 47 U.S.C. § 332(c)(3)(A); *In re Comcast Cellular Telecommunications Litig*., 949 F. Supp. 1193, 1201 (E.D. Pa. 1996); *Ball v. GTE Mobilnet of Cal*., 81 Cal. App. 4th 529, 538 (2000); *Cellco P'ship v. Hatch*, 431 F.3d 1077, 1081 (8th Cir. 2005); *Matter of Sw. Bell Mobile Sys., Inc*., 14 FCC Rcd 19898, 19906-19907, ¶ 20 (1999).

[23] Staff Proposal at 37-38.

[24] T-Mobile Comments at 13.

[25] *See* 47 C.F.R. § 9.10(b); CTIA Comments at 25; AT&T Comments at 33.

[26] CTIA Comments at 26.

[27] T-Mobile Comments at 8, Att. B at 2; CTIA Comments at 25-26.

communications.[28] As AT&T notes, there is no competent evidence in this proceeding that any reported outage caused a loss of 911 access or that any user was unable to receive a WEA as a result of an outage.[29]

Neither the Staff Proposal nor the supporting commenters recognize or address these factors, and thus provide no basis for treating community isolation outage counts as evidence of lost emergency communications access.

In sum, the initial comments confirm that there is no basis for the Staff Proposal's Cal OES Community Isolation Outage Standard, and that there is no basis to conclude that the proposed regulations would diminish the incidence or length of wireless outages. Given the astronomical costs that would likely result from the proposed standard – more than $6 billion in estimated annual compliance costs plus more than $16 billion in one-time costs[30] – imposing such onerous regulations based on a deficient record would be all the more unjustifiable.

III. COMMENTERS AGREE THAT THE NETWORK AVAILABILITY BY PUMA STANDARD IS INSUFFICIENTLY DEFINED AND UNSUITED TO ITS OWN STATED GOALS.

The Opening Comments demonstrate that the proposed Network Availability by PUMA standard cannot be administered because it is inadequately defined. AT&T observes that the Staff Proposal offers only a high-level formula (available minutes divided by total minutes) but "never identifies the data source, measurement methodology, or carrier-verifiable information,"; that Staff said further consideration was needed on "how to measure that,"; and that "the

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[28] T-Mobile Comments at 13. *See* 19 CCR § 2480.2(a).

[29] AT&T Comments at 33-34.

[30] *See* CTIA Comments at 37 & n.112 (citing "$6.214 billion" in estimated annual compliance costs for the Wireless Providers collectively to try to comply with the Cal OES Community Isolation Outage Standard, "plus $16.791 billion in one-time costs"); *see also* AT&T Comments, Attachment A at 2 (¶ 2) & Attachment C (Mathisen Declaration) at ¶¶ 8-17; T-Mobile Comments, Attachment B (Sherry Declaration) at ¶ 22; Verizon Comments at 36-37 & Exs. 2, 3.

Commission cannot adopt a proposed Network Availability standard that Staff itself cannot even define."[31] T-Mobile describes the standard as having "no record support," "created almost entirely out of whole cloth," "apparently indecipherable even to Staff," and outside the scope of the proceeding.[32]

Tellingly, even the standard's supporters concede that it cannot be applied as written. TURN "recommends creating a word-based definition" of network availability because the Staff Proposal's formula "alone does not confirm what … a network being 'available' means."[33] Cal Advocates agrees the Commission "must establish a clear definition of network availability."[34] Cal Advocates further concedes that the Staff Proposal "lacks clear assignment criteria for cell sites straddling PUMA boundaries and a mathematical formula for aggregating multiple towers within a single PUMA,"[35] and acknowledges that the Staff Proposal fails to specify how external disruptions factor into the formula.[36]

The opening comments also show that the proposed standard could result in excessive penalties. T-Mobile notes that PUMAs range from about 3 to more than 19,000 square miles and bear no relationship to how wireless networks, cell sites, or Cal OES reports are organized.[37] Moreover, because the 99% figure would be measured daily, a single short outage could trigger penalties: in a hypothetical single-site PUMA, the daily standard permits only 14.4 minutes of outage time, so a 14.5-minute outage, even at 3:00 a.m., would require no Cal OES report but

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[31] AT&T Comments at 37, 39.

[32] T-Mobile Comments at 18.

[33] TURN Comments at 8.

[34] Cal Advocates Comments at 4.

[35] Cal Advocates Comments at 5-6.

[36] Cal Advocates Comments at 4.

[37] T-Mobile Comments at 19.

still draw a $5,000 fine.[38] AT&T shows that the three PUMAs Staff highlights already exceed 99% availability every month, so "[o]nly by insisting that uptime be measured by the day" can Staff attempt to claim the data supports regulation, and even then, only by taking a "zero tolerance" approach at odds with the reality that some outages are inevitable.[39]

The standard is also duplicative. Commenters explain that the Network Availability standard overlaps the Cal OES Community Isolation Outage standard and could impose two penalties for the same outage, including for outages beyond providers' control—with "no sound policy reason" to fine providers twice.[40] Indeed, at the August 27 Workshop, Staff acknowledged there was "no intention to trigger both,"[41] which further emphasizes the lack of understanding of how the Network Availability by PUMA standard would work.

The opening comments also show that the Staff Proposal's emphasis on reporting and penalties based on PUMAs reflects the lack of record evidence of any problems with wireless service quality, and would be ineffective at identifying such problems in any event. Implicitly conceding that wireless service quality rules are difficult to justify in the face of statewide data showing that wireless networks are highly reliable and that outages are declining, the Staff Proposal justifies PUMA-based reporting and the Network Availability by PUMA metric based on a purported need for more granular data on where outages occur.[42] In doing so, however, the Staff Proposal and its supporters concede that there is no evidence today that wireless outages are

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[38] T-Mobile Comments at 23. *See also* AT&T Comments at 41-43.

[39] AT&T Comments at 45.

[40] CTIA Comments at 16; *see also* AT&T Comments at 41-43; Verizon Comments at 20.

[41] AT&T Comments at 43, *citing* August 27 Workshop Transcript at 28.

[42] Staff Proposal at 27-28 (a "high-level reporting structure obscures which communities experience outages….").

localized, more frequent, or more serious in particular geographic areas.[43] Or, as Verizon's example above regarding ZIP codes with four or more outages over the last three years illustrates, they may not be preventable. Thus, the Staff Proposal skips the requisite first step of identifying a regulatory problem or shortcoming based on competent evidence before proposing a regulatory response.[44]

Further, even though the stated purpose of the PUMA standard is a need for more granular data, the record also clearly shows that existing Cal OES outage data, collected at the ZIP code level, is *more* granular than PUMA-based data would be. Commenters recognize that Cal OES data is collected at the ZIP code level, and that ZIP codes are smaller than PUMAs.[45] Even commenters expressing support for the PUMA standard concede this. For example, TURN acknowledges that a wireless community isolation outage is defined by Cal OES at the ZIP code level and urges the Commission to use smaller units because large multi-county PUMAs (one spans more than 19,000 square miles) obscure localized conditions.[46] RCRC/CforAT likewise ask for county-level reporting within multi-county PUMAs.[47] Commenters describe how this imprecision negatively impacts any analysis of outages. For example, AT&T notes that aggregating many rural ZIP codes into a PUMA inflates raw outage counts (e.g., the three PUMAs the Staff Proposal highlights contain 81, 43, and 22 ZIP codes, respectively), yet when outage duration is considered, those PUMAs actually rank relatively low.[48]

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[43] *See* CTIA Comments at 12-13, *quoting* Staff Proposal at 25-26, 28.

[44] CTIA Comments at 1.

[45] CTIA Comments at 16.

[46] TURN Comments at 6-8.

[47] RCRC and CforAT Comments at 6.

[48] AT&T Comments at 29.

In summary, all commenters agree that the proposed Network Availability by PUMA standard is insufficiently defined to implement, and that PUMA-based reporting would not serve the purposes for which the Staff Proposal offers it. Again, given the astronomical costs that would likely result from the proposed standard – an estimated $6.214 billion in annual compliance costs for the Wireless Providers, plus $16.791 billion in one-time costs[49] – imposing such onerous regulations based on a deficient record would be all the more unjustifiable.

IV. THE COMMENTS CONFIRM THERE IS NO BASIS FOR THE COSTLY PROPOSED CUSTOMER SERVICE STANDARDS.

Initial comments reaffirm that the record contains no competent evidence of a need for wireless customer service regulations–much less the exceedingly onerous regulations proposed by the Staff Proposal. AT&T shows that the Staff Proposal "is not based on any systematic survey, reliable performance data, or analysis of customer outcomes," but instead "relies on a handful of unsworn public participation hearing anecdotes and a single personal account from a TURN employee."[50] T-Mobile emphasizes that Staff "does not even purport to identify an issue that requires intervention," acknowledging that wireless providers already operate "sophisticated

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[49] *See* AT&T Comments, Attachment A at 2 (¶ 3) & Attachment C (Mathisen Declaration) at ¶¶ 8-17; T-Mobile Comments, Attachment B (Sherry Declaration) at ¶ 34; Verizon Comments at 22, 38 & Ex. 3. CTIA hereby corrects an inadvertent error on page 37 of its Opening Comments, which referred to "6.1 billion" rather than 6.214 billion in aggregate estimated annual costs for the Wireless Providers to try to comply with the Network Availability by PUMA Standard. To be clear, by including separate cost estimates for the Cal OES Community Isolation Outage Standard and the Network Availability by PUMA Standard, CTIA and the Wireless Providers are not suggesting that estimated costs would be the sum of those (identical) estimates if the Commission adopted both standards. *See, e.g.*, T-Mobile Comments, Attachment B (Sherry Declaration) at ¶ 34 ("I am not suggesting we would need to incur those estimated compliance costs twice; only that the compliance costs for one would be the compliance costs for the other.").

[50] AT&T Comments at 4.

customer care operations" and justifying the standards on a desire to gather information and "generalized speculation."[51]

Moreover, the specific anecdotes relied upon in the Staff Proposal do not support the Staff Proposal's suggested regulations. For example, the first-prompt IVR requirement traces to a single unsworn statement by Wayne Clemons, which AT&T shows concerned hold times and representative expertise, not IVR menu structure, and which T-Mobile shows was mischaracterized in the Staff Proposal.[52] And the 30-minute callback requirement rests on a single anecdote from a TURN panelist at the Workshop,[53] which TURN's comments clarify was not based on her personal experience but rather "was from a June 22, 2026 post from a customer to the Trustpilot website."[54] As this example amply illustrates, these statements are uncorroborated hearsay which, as CTIA and other commenters discuss, is not competent evidence that can be the basis for a Commission decision.[55]

The comments also show that there is no evidentiary basis for the selection of any of the specific customer service standards in the Staff Proposal, nor any explanation for why they are more stringent than the standards in G.O. 133-E for wireline providers (including those subject to traditional monopoly regulation).

The requirement to present the option to speak to a live agent in the first prompt the customer receives—called "Clarification #1 in the Staff Proposal—is "not a 'clarification,' but … a wholly new substantive requirement" with "[n]o comparable mandate … under GO 133-

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[51] T-Mobile Comments at 24.

[52] AT&T Comments at 9; T-Mobile Comments at 27; *see also* CTIA Comments at 32 n. 98.

[53] AT&T Comments at 14; *see also* CTIA Comments at 32 n. 98.

[54] TURN Comments at 13.

[55] CTIA Comments at 28; AT&T Comments at 23; Verizon Comments at 8.

E."[56] More significantly, requiring providers to offer customers the opportunity to speak to a representative *before* the customer has stated the reason for the call "measures success by the speed with which a caller reaches *any* live representative, rather than the speed with which the caller reaches the appropriate resource capable of resolving their issue"[57]—which the record shows is "an inadequate proxy for customer experience."[58] This focus on getting the customer to *any* live representative would eliminate the benefits of an "efficient and personalized IVR process designed to route customers to the representative best suited to meet the individual's specific issues," sending them instead "to what would essentially be a human switch board" who would have to ask them the same questions the IVR would have asked, and then transfer them again to the appropriate representative.[59] A requirement that "prioritizes immediate access to a live agent will incentivize many callers to bypass these faster self-service options, and will increase contact volumes, reduce automation effectiveness, and ultimately greatly degrade customer experience for both callers who could have been served immediately and those who genuinely require live-agent assistance."[60]

The 30-minute callback window is inexplicably 48 times stricter than the 24-hour window GO 133-E affords wireline providers even though wireless customers need not wait in place for a callback like wireline customers necessarily must because wireline service is fixed, not mobile. The Staff Proposal offers no basis to believe it is reasonable or feasible and, at the

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[56] AT&T Comments at 6-7.

[57] AT&T Comments at 8 (emphasis added).

[58] T-Mobile Comments at 26 & n.83, *citing* T-Mobile's Response to Additional Information Requests at 20.

[59] Verizon Comments at 5.

[60] AT&T Comments at 8.

Workshop, Staff defended it only by remarking, "If I could put five minutes, I would."[61] The 80/60 answer-time metric was simply borrowed from the wireline rule, which Staff confirmed was benchmarked solely to an FCC cable regulation.[62] Staff could not identify any independent analysis or basis to believe the standard is appropriate for wireless providers.[63] Commenters also note that there is no evidence in the record, competent or otherwise, that supports the postal-mail requirement or the 90-day billing-resolution rule.[64]

Further, commenters highlight the significant legal problems with imposing wireless customer service standards–especially standards that are stricter than the wireline rules. AT&T notes that applying mandates more stringent than those applicable to wireline providers heightens the First Amendment burden that already weighs against the standards' adoption.[65] Verizon shows that the first-prompt requirement is content-based compelled speech subject to strict scrutiny and that the 30-minute callback rule fails even under intermediate scrutiny.[66] Verizon also notes that, because compliance would require overhauling nationwide customer-service systems, the rules would materially inhibit the provision of wireless service in violation of Section 253(a) of the Communications Act and impermissibly regulate extraterritorial conduct.[67]

Rather than address these defects, the supporting commenters propose—without any supporting evidence—to make the wireless standards harsher. Cal Advocates supports the 80/60

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[61] AT&T Comments at 15, *citing* August 27 Workshop Transcript at 2:01:06 - 2:02:12.

[62] AT&T Comments at 5.

[63] *Id.*

[64] AT&T Comments at 15-16; T-Mobile Comments at 30.

[65] AT&T Comments at 22.

[66] Verizon Comments at 10-12.

[67] Verizon Comments at 32.

and first-prompt requirements, endorses the 30-minute callback, would shorten the billing disputes resolution window to 45 days, and would add a chatbot requirement.[68] SBUA would shorten the billing disputes resolution window to just 30 days, add a problem-resolution metric, and disaggregate reporting by ESJ community and small-business account.[69] SBUA and RCRC/CforAT (adopting Cal Advocates' position) would also pair every fine with automatic customer credits.[70] However, none of these commenters offers any evidence that these proposals are needed or reasonable. Each simply layers additional burdens and penalties onto an already unsupported framework. Moreover, the Commission specifically rejected Cal Advocates' chatbot proposal in adopting G.O. 133-E,[71] and rightly so, as it would only compound the First Amendment problems with the Staff's proposed customer service rules.[72] As CTIA previously explained, this requirement would also unconstitutionally compel speech and would fail to pass muster under any standard of First Amendment review.

The record also makes clear that the proposed customer service standards would impose enormous costs, which the Staff Proposal and supporting commenters ignore or dismiss. Each of the wireless providers has provided extensive data regarding the costs of modifying their customer care operations, and the wireless providers' opening comments include additional data and declarations addressing the new proposals (including Clarification #1 and Clarification #2) that were offered for the first time in the Staff Proposal. For example, AT&T's declarations

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[68] Cal Advocates Comments at 7-8.

[69] SBUA Comments at 6-10.

[70] SBUA Comments at 2-3; RCRC and CforAT Comments at 6-7. As noted above, there are significant practical and legal problems that preclude a requirement that wireless providers provide customer bill credits. *See supra* notes 21 and 22.

[71] D.25-09-031 at 195.

[72] *See* CTIA 2024 Comments at 33-37.

quantify significant annual incremental compliance costs plus a one-time technology-implementation cost.[73] T-Mobile estimates one-time and ongoing costs that are even higher if the first-prompt mandate requires rebuilding its IVR, and explains that, because its care system is not designed to operate on a state-specific basis, compliance necessarily would require retooling the system nationwide.[74] The proposed $20,000-per-day penalty compounds the problem. As AT&T explains, a single day's noncompliance on any one of the five criteria would trigger the full fine "regardless of the number of customers affected, the severity … or whether the provider was at fault," so that the penalty "bears no rational relationship to the regulated conduct" and "is punitive, not remedial."[75] Aggregating the providers' data, CTIA demonstrated that, even without including all of resulting costs, the proposed customer care standard would subject wireless providers to astronomical annual compliance costs—in the hundreds of millions of dollars and potentially exceeding a *billion* dollars—plus more than $50 million in one-time costs.[76]

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[73] AT&T Comments at 11-12.

[74] T-Mobile Comments at 31, 40.

[75] AT&T Comments at 17.

[76] *See* CTIA Comments at 37 & n.114 (projecting "$669.2 million-$1.1 billion" on an aggregate, annual basis for the wireless providers, "plus $66.75-$68.25 million in one-time costs" resulting from proposed Customer Service Standard, even "without fully accounting for all costs"); *see also* AT&T Comments on Staff Proposal, Attachment A at 1; Bilski Declaration at ¶¶ 8-19; Consalvo Declaration at ¶ 17; Verizon Comments on Staff Proposal at 38-40 & Ex. 4; Verification and Declaration of Connie Chaffins accompanying Verizon Comments on Staff Proposal; Verizon's Response to OIR at 6. Notably, this estimate does not even include all costs associated with the customer care standard because two wireless providers were not able to estimate the cost resulting from the 30-minute callback requirement within the short time available to prepare opening comments. (Relatedly, CTIA hereby corrects an inadvertent error in CTIA's Opening Comments at footnote 114, which mistakenly referred to "one" rather than "two" "of the wireless providers.") As noted above, T-Mobile provided testimony that, if the first-prompt rule were construed as requiring it to reconstruct its current IVR system, its cost estimate would be even higher—which would, in turn, result in a larger aggregate number for the wireless providers. *Se*e T-Mobile Comments, Attachment C (Consalvo Declaration) at ¶ 18.

Neither the Staff Proposal nor its supporters make any effort to show that the enormous costs of the customer care requirements would be justified, despite the legal requirement for the Commission to do so. As AT&T explains, the Commission cannot adopt requirements of this magnitude without the cost-benefit analysis required by Public Utilities Code section 321.1(b).[77] Verizon similarly urges a section 321.1(b) cost-benefit analysis, warning that the "staggering capital and operating expenditures" needed to attempt compliance would yield little consumer value and would ultimately harm consumers through higher prices or reduced investment.[78] In addition to the requirements of section 321.1(b), the California Supreme Court long "has recognized that the [C]omission must consider the economic effects of alternative rules."[79]

The Staff Proposal, however, makes no attempt at any meaningful analysis of the reasonableness of the costs imposed. Instead, the Staff Proposal states that wireless providers "did not indicate a clear pass-through of service quality related costs to customers," and asserts that, if wireless providers cannot show "that such costs would be passed on to customers, which customers would be affected, or how much bills would increase, then those cost claims should be given limited weight."[80] As T-Mobile explains, this "is not only an economically unsound principle, it does not reflect the reality of a competitive marketplace," and "is just another way to assert that any regulation is reasonable."[81] It is also disregards the potential for negative customer impacts—whether in rates, reduced service offerings, reduced deployment, reduced innovation, or otherwise—which the wireless providers' data responses uniformly demonstrate

[77] AT&T Comments at 18, *citing* Pub. Utils. Code § 321.1.

[78] Verizon Comments at 3.

[79] *U.S. Steel Corp. v. Pub. Utils. Comm'n*, 29 Cal.3d 603, 609 (1981).

[80] Staff Proposal at 7-8.

[81] T-Mobile Comments at 36-37; *see also* CTIA Comments at 36.

may occur.[82] Providers have tendered the requested information about the cost of the proposals,[83] and there would be no basis for the Commission to disregard this information in its consideration of any proposed rules.[84] In any event, "whether compliance costs are passed through directly to customers on their bills or otherwise bears no relation to whether the proposed recommendations are reasonable, justifiable, lawful or appropriate."[85]

V. DETAILED WIRELESS COVERAGE MAPS ARE ALREADY AVAILABLE, AND THE PROPOSED MAPPING REQUIREMENTS WOULD FOSTER CONFUSION.

The opening comments confirm that there is no factual basis for the coverage mapping requirements that the Staff Proposal would impose. Rather, those requirements are more likely to cause consumer confusion.

Detailed coverage information, including signal-strength information expressed in dBm and RSRP—as touted by the Staff Proposal—already is available to consumers from multiple sources. AT&T notes that consumers can already obtain coverage information through wireless providers' websites and the FCC's website, and that there is "no evidence in the record that consumers want or need propagation maps."[86] T-Mobile shows that the FCC's National Broadband Map provides downloadable per-carrier heat maps with dBm values, and the app

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[82] *See, e.g.*, T-Mobile Comments at 40-41; Verizon Comments at 42; AT&T Comments, Att. A at 3.

[83] Regarding the wireless providers' compliance with requirements to submit information, *see* Response of AT&T Mobility LLC *et al*. to Administrative Law Judge's July 10, 2026 Ruling at 1-2 (July 28, 2026); T-Mobile West LLC's Response to the Administrative Law Judge's Ruling Ordering AT&T, T-Mobile, and Verizon to Produce Previously Ordered Data at 1-2; Response of Cellco Partnership dba Verizon Wireless to July 10, 2026 Administrative Law Judge Ruling Ordering AT&T, T-Mobile, and Verizon to Produce Previously Ordered Data at 2-3.

[84] There is no basis to equate wireless providers' inability to predict, in a competitive market, precisely how much of an additional cost will be passed on to consumers as a failure to provide information. *Contra* Ruling Denying Extension Request at 6-7 (citing no authority).

[85] T-Mobile Comments at 41.

[86] AT&T Comments at 48.

CoverageMap.com offers street-level signal-strength, crowdsourced data, and heat maps with projected dBm.[87] The app (and website) allows customers to compare wireless providers' published coverage maps in an overlay format with other data including crowdsourced speed test results and the maps that the providers submit to the FCC, including their outdoor stationary and in-vehicle mobile maps and their RSRP maps in 10 dBm increments.[88]

The record also shows that the proposed maps would mislead rather than inform customers. As T-Mobile explains, there is no uniform dBm level that "establishes" coverage across providers, technologies, and geographies. Measured RSRP/RSSI has different practical implications depending on spectrum band, network design, and device, so requiring providers to tell customers that specified dBm levels equate to a level of coverage "would not only be inaccurate, it would also be misleading."[89] The FCC itself "considered and rejected" adopting a standardized minimum signal-strength value.[90] As a practical matter, the mandate would require roughly 18 overlapping colors on a single map, rendering it illegible rather than useful.[91] In addition, the compelled maps could misstate voice coverage as the selected dBm levels relate to data service, which is outside the scope of this docket, and also would show false "gaps" in border areas where FCC rules require providers to reduce power.[92]

The Staff Proposal and commenters supporting it seem to be laboring under a misapprehension that wireless providers publish overstated maps to induce consumers to sign up

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[87] T-Mobile Comments at 34-35.

[88] *See* https://coveragemap.com/carriers.

[89] T-Mobile Comments at 32.

[90] T-Mobile Comments at 32.

[91] T-Mobile Comments at 35.

[92] CTIA Comments at 52-53.

for their service, but the record shows that, in the current wireless market, there would be no value in doing so. If a customer discovers that their service does not work where needed, they are not obligated to stay with that provider. CTIA's Consumer Code for Wireless requires providers to offer a minimum 14-day trial period,[93] and the comments confirm that providers more than honor this policy. For example, AT&T notes that it offers a 14-day, no-questions-asked return policy, so the premise that consumers "need to know what they are buying" before purchase through advance coverage maps is "factually unsupported" because a customer who finds coverage inadequate can cancel and return the device.[94] Verizon and T-Mobile point to 30-day trial windows during which customers can assess actual performance without incurring termination penalties.[95] In addition, "consumers are not tied to long-term contract and have the ability to switch carriers as they desire and/or as their needs change."[96] Ultimately, consumers' own experience with their wireless service is more valuable than any map, and consumers can leave a provider if they find its service to be inadequate.

Commenters supporting the mapping requirement offer no substantial evidence for why it is needed, nor any basis for their proposals to make the requirement more onerous. For example, Cal Advocates supports the −84 dBm minimum voice-coverage threshold and would require that providers' maps be validated either by a Commission-selected third-party firm using industry-standard software or by the Commission itself, in each case at wireless providers' expense.[97] RCRC/CforAT likewise urge independent validation and periodic re-verification, and, together

[93] CTIA Comments at 24 & n.67.

[94] AT&T Comments at 48-49.

[95] Verizon Comments at 27; T-Mobile Comments at 36 & n.110.

[96] T-Mobile Comments at 36.

[97] Cal Advocates Comments at 13-15.

with SBUA, advocate for a mechanism for consumers and businesses to flag alleged discrepancies between mapped and observed coverage.[98] TURN would mandate a standardized color format and more frequent (quarterly or semi-annual) updates.[99]

These proposals, however, presuppose a need for a mapping requirement that the record does not support. None of the supporters explains why a validation regime or customer-challenge process would add value beyond the numerous existing resources, discussed above, and consumers' own experience, or how independently "validating" predictive maps would be meaningful when, as the wireless providers show, no uniform dBm-to-coverage standard exists and actual service depends on device, terrain, weather, building materials, and innumerable other factors. Moreover, the validation and challenge proposals could impose additional costs on providers related to maps that, as discussed above, would be misleading, without any corresponding benefit to consumers.[100]

VI. THE COMMISSION CANNOT LAWFULLY PROCEED TO A DECISION WITHOUT AFFORDING WIRELESS PROVIDERS THE OPPORTUNITY TO ACCESS, REVIEW, AND COMMENT ON DATA, METHODOLOGY, AND WORKPAPERS USED BY STAFF.

Especially given the numerous shortcoming of the Staff Proposal discussed above, the Commission should afford CTIA and the wireless providers the opportunity to review the materials reviewed by the Staff, including the underlying data Staff consulted. Such review may uncover additional problems with the Staff's analysis. But regardless of what it ultimately shows, affording such an opportunity is a legal requirement. Indeed, it would violate California and federal law for the Commission to proceed to a Proposed Decision and Final Decision

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[98] RCRC and CforAT Comments at 10-12; SBUA Comments at 10-11.

[99] TURN Comments at 15.

[100] *See, e.g.*, Verizon Comments, Taliaferro Declaration at 1-2.

without affording parties a sufficient opportunity to access, analyze, and comment on the Staff's workpapers, methodology, and underlying data cited in the Staff Proposal (including, but not limited to, the Cal OES Community Isolation Outage reports data and PUMA mapping data that the Staff reviewed).

As Verizon explains, following requests made in person at the Commission's second workshop, on August 28, 2026, CTIA and the wireless providers issued a request to the Communications Division ("CD") Staff seeking the Cal OES outage data, PPH analysis data, and "any other data, notes, analysis and workpapers relied upon by the Staff in preparing or developing and of the statements or recommendations in the Staff Proposal, including but not limited to the maps, tables, and figures in the Staff Proposal." (See Attachment E.) CD's Assistant General Counsel converted this request to a California Public Records Act ("CPRA") request. As of the date of these reply comments, however—and after timely filing their opening comments following the presiding ALJ's denial of their request to continue the deadlines for such filings and the September 15, 2026 date for closure of the record[101]—CTIA and the wireless providers still have not received any of the underlying data nor been apprised of the exact methodology used by the Staff to analyze Cal OES and PUMA data, nor provided the staff's workpapers.

The Commission should ensure that CTIA and the wireless providers have access to the requested data, sufficient time to analyze it, and a sufficient opportunity to comment on it before closing the record and proceeding to issue a Proposed Decision. Failing to do so would not only be fundamentally unfair, it also would constitute legal error.

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[101] *See* Email from ALJ Thomas J. Glegola to All Parties, R.26-02-017 (Aug. 21, 2026, 2:44 PM); Ruling Denying Extension Request; *see also* [cite Request for Commission Review of Ruling].

First, such action would constitute a reversible "abuse of discretion" and failure to "proceed[]in the manner required by law" under Public Utilities Code Section 1757.1.[102] In one instructive decision, the California Court of Appeal annulled a Commission decision for failure to proceed in the manner required by law where parties were provided "only three business days" to comment on new proposals, including "issues of public policy, economic effects, legal implications, and effective administration and implementation of the proposed new rules.[103] The Court explained that this was "insufficient" to allow meaningful input.[104] Here, CTIA and the Wireless Parties have been given zero opportunity and zero time to review, digest, and comment on the Staff's underlying data and related analysis. Indeed, they have not even been afforded access to such materials. In analogous cases, courts have held that adopting rules based on undisclosed data relied on by agency staff or insufficiently disclosed methodologies violates the federal Administrative Procedure Act ("APA").[105] As these precedents have explained, "[a]mong the information that *must be revealed* for public evaluation are the 'technical studies and data' upon which the agency relies [in its rulemaking]."[106] And "[i]t is not consonant with the purpose of a rule-making proceeding to promulgate rules on the basis of inadequate data, or on data that,

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[102] *See* Cal. Pub. Utils. Code § 1757.1(a)(1), (2).

[103] *So. Cal. Edison Co. v. Pub. Utils. Comm'n*, 140 Cal. App. 4th 1085, 1106 (2006).

[104] *Id.* (("Three business days was insufficient time for the parties to comment on the issues raised by the proposals, including issues of public policy, economic effects, legal implications, and effective administration and implementation of the proposed new rules.").

[105] *See, e.g.*, *Am. Radio Relay League, Inc. v. FCC*, 524 F.3d 227, 236 (D.C. Cir. 2008) (FCC violated APA when it relied on internal staff technical studies that were produced in only redacted form for public comment); *Owner-Operator Indep. Drivers Ass'n, Inc. v. Fed. Motor Carrier Safety Admin.*, 494 F.3d 188, 193 (D.C. Cir. 2007) (failure to disclose the methodology of a staff-developed analytical model rendered the resulting rule both procedurally defective and substantively arbitrary and capricious); *Window Covering Manufacturers Ass'n v. Consumer Prod. Safety Comm'n*, 82 F.4th 1273 (D.C. Cir. 2023) (agency violated APA by failing to disclose internally compiled injury-incident data on which proposed rule and final rule relied).

[106] *Am. Radio Relay League*, 524 F.3d at 236 (emphasis added; citation and internal quotation marks omitted).

[to a] critical degree, is known only to the agency."[107] Here, only Staff knows the data on which it relied, the methodology it used, and what its workpapers show. Adopting rules where such material was withheld from CTIA and the wireless providers before they were ordered to file comments on the Staff Proposal surely is not proceeding in the manner required by law. This is especially true where, as here, the underlying data, workpapers, and analysis may show that Staff picked data that it deemed favorable while ignoring or downplaying contrary data – as it did selectively quoting the workshop and PPH comments it cited in the Staff Proposal.[108]

Second, rushing to a Proposed Decision and Final Decision before CTIA and the wireless providers have been given access to, and a reasonable period of time to analyze and comment on, the materials underlying the Staff Proposal also would violate their due process rights under the U.S. and California Constitutions.[109]

VII. THE COMMENTS AFFIRM THE NECESSITY OF DEVELOPING A RECORD ON ANY MODIFIED PROPOSALS.

For all the reasons discussed above, the Staff Proposal cannot be adopted, but if the Commission decides it should adopt rules based on modifications to those in the Staff Proposal, or new rules, the Commission should provide the opportunity for parties to introduce evidence on any revised or new proposals' costs and other implications before including them in a proposed decision. [110] The wireless providers have submitted extensive data and information

[107] *Id.* at 237 (citation and internal quotation marks omitted).

[108] *Cf. Am. Radio Relay League*, 524 F.3d at 239 ("[T]he Commission can point to no authority allowing it to rely on the studies in a rulemaking but hide from the public parts of the studies that may contain contrary evidence, inconvenient qualifications, or relevant explanations of the methodology employed."); *see also* CTIA Opening Comments at 33 & Attachment A.

[109] *See, e.g.*, *Ohio Bell Tel. Co. v. Pub. Utils. Comm'n of Ohio*, 301 U.S. 292, 303 (1937) (state PUC violated due process rights under the Fourteenth Amendment to the U.S. Constitution where its decision was based on data secretly collected and never disclosed to the parties); Cal. Const. art. I, § 7.

[110] *See, e.g.*, Verizon Comments at 1, 44; CTIA Comments at 58-59.

about the requirements in G.O. 133-E and, in response to the Order, the new requirements in the Staff Proposal.[111] That data, and particularly the new data submitted following release of the Staff Proposal, illustrates how changes to a requirement (such as the proposed "clarifications" to the live-agent requirement) can significantly affect its costs, and also have other factual implications that must be considered to inform the Commission's decision.

As such, providing an additional opportunity to introduce relevant evidence and information related to any revised or new proposals would not be unnecessary "delay,"[112] but rather would allow the Commission to build the record it needs to make an informed decision, consistent with its stated intent,[113] and legal requirements.[114]

VIII. CONCLUSION.

The record establishes that there is no need for wireless service quality regulations, and no basis for the specific measures in the Staff Proposal. The "robust record" developed in this proceeding "on whether the Commission should adopt service quality metrics and standards for wireless carriers" clearly shows that no such metrics or standards are needed, and the specific

[111] Regarding the wireless providers' compliance with requirements to submit information, *see* Response of AT&T Mobility LLC *et al*. to Administrative Law Judge's July 10, 2026 Ruling at 1-2 (July 28, 2026); T-Mobile West LLC's Response to the Administrative Law Judge's Ruling Ordering AT&T, T-Mobile, and Verizon to Produce Previously Ordered Data at 1-2; Response of Cellco Partnership dba Verizon Wireless to July 10, 2026 Administrative Law Judge Ruling Ordering AT&T, T-Mobile, and Verizon to Produce Previously Ordered Data at 2-3.

[112] RCRC and CforAT Comments at 3, 13.

[113] *See* OIR at 11 ("[t]his proceeding will build a robust record…"); Ruling Denying Extension Request at 7 ("The Commission must make decisions based on the record before it.").

[114] *See, e.g.*, Pub. Utils. Code § 1757.1; *Cal. Edison Co.*, 140 Cal. App. 4th at 1106; *see also Securus Tech., LLC v. Pub. Utils. Comm'n*, 305 Cal.Rptr.5th 787, 802-03 (2023) (the Commission must "consider[] all relevant factors" and "demonstrate[] a rational connection between those factors, the choice made, and the purposes of the enabling statute"); *U.S. Steel*, *supra*, 29 Ca.3d at 608 ("Concomitant with the discretion conferred on the [C]ommission is the duty to consider all facts that might bear on exercise of that discretion."). *See also* Verizon Comments at 1, 27 (inability to comment fully raises due process concerns).

requirements in the Staff Proposal are not supported by any substantial evidence on "what those rules should be." Instead, the Staff Proposal proposes extensive wireless service quality regulations before the Commission has sufficient data to evaluate whether such regulations are needed or would be beneficial.

The Commission must reject the Staff Proposal. To the extent the Commission considers modified or other rules in this docket, it must develop a record on them before preparing a proposed decision.

Respectfully submitted September 15, 2026, at San Francisco, California.

By:_____/s/__________

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