

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA



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Order Instituting Rulemaking
Proceeding to Consider Service
Quality Rules for Wireless Carriers.

Rulemaking 26-02-017
(Filed February 26, 2026)

**REPLY COMMENTS OF CENTER FOR ACCESSIBLE TECHNOLOGY ON STAFF
PROPOSAL**

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I. INTRODUCTION

Pursuant to the schedule set in the *Administrative Law Judge's Ruling Issuing Staff Proposal* ("Ruling"), issued by Administrative Law Judge Thomas J. Glegola on August 19, 2026, Center for Accessible Technology ("CforAT") submits these timely reply comments.

To the surprise of no one who observes developments in the communications industry, wireless providers continue to oppose every element of the Staff Proposal intended to improve wireless service quality and support public safety and access to the network. Relying on the same playbook that they have used since at least 2011, industry parties continue to improperly attempt to delay the Commission's implementation of reasonable, enforceable service quality standards by repeating false arguments about the Commission's jurisdiction, claiming that more evidence is needed, attempting to frame the Commission's rejection of industry arguments as a lack of substantial evidence, making irrelevant arguments about competition, and attempting to conflate outages or connectivity issues (even in areas where service is usually available) as "coverage" issues rather than service quality issues.

The Commission has demonstrated admirable constraint in tolerating industry parties' repeated use of these tactics. However, given the public safety risks and the potential catastrophic financial harms to wireless customers who experience service quality failures, the Commission should no longer allow industry parties' delaying tactics to stop the implementation of the reasonable, well-thought out recommendations in the Staff Proposal. The Commission should adopt the Staff Proposal with the modifications and clarifications proposed in the opening comments of RCRC and CforAT.

II. DISCUSSION

A. **The Commission Should Reject Providers' Misstatements of Law Regarding Jurisdiction.**

In opposing the recommendations of the Staff Proposal, providers attempt to recycle often-used and repeatedly-rejected arguments that the Commission lacks jurisdiction over wireless service quality.¹ The Commission has previously made clear that these arguments are misstatements of law.² The Commission should similarly reject those arguments here.

B. **Addressing the Concerns of Customers Who Experience Service Quality Issues is not "Cherry Picking."**

Industry Parties' comments overwhelmingly rely on the fundamental logical fallacy of division, i.e. the assumption that what is generally true for a group as a whole must automatically be true for its individual members.³ Perhaps the best example of Industry Parties' use of this fallacy is in their repeated claims that service quality standards are unnecessary because "[w]ireless networks operated without community isolation outages 99.84 [percent] of the time in each of the last two years."⁴ Industry Parties rely on the assumption that if the impact of outages on the wireless network as a whole is relatively small, the impact of outages on individual customers (e.g., customers who are affected by outages of 24, 48, or 72 hours) will likewise be relatively small.

Industry Parties use this construction to argue that the Staff Proposal's proposed Network Availability by PUMA Standard is unreasonable because it imposes a 99 percent standard to each PUMA on a daily basis (even as they insist that wireless networks as a whole are available

¹ AT&T Comments at pp. 37-45.

² See e.g. D. 25-09-031 at pp. 167-174, 193.

³ Barbri.com, Flaws in Logical Reasoning Part IV: Errors of Composition and Division, *available at* <https://www.barbri.com/resources/flaws-in-logical-reasoning-part-iv-errors-of-composition-and-division> (last accessed Sept. 15, 2026).

⁴ CTIA Comments at p. 3.

99.84 percent of the time on an annual basis).⁵ However, as the Staff Proposal notes, this “high-level reporting structure obscures which communities experience outages, masks chronic failure areas, and leaves emergency responders with insufficient outage information.”⁶ The Commission should reject providers’ attempts to mask serious service quality deficiencies with general claims about their networks as a whole.

Providers also rely heavily on the same flawed logic when arguing that the Commission has erred by failing to acknowledge how many customers receive good service quality or are satisfied with their customer service experience.⁷ For example, CTIA complains that “while cherry-picking isolated anecdotes to support its proposed rules, the staff inexplicably gives no weight to comments ‘report[ing] satisfactory service.’”⁸ This is the equivalent of a wireless customer arguing that they should not be disconnected for repayment because the provider did not consider all of the times the customer *did* pay the bill.

At any given time, some customers will *not* experience service quality issues. This is even true for many customers, particularly in locations with dense coverage. These customers are not in need of protection at the moments they have adequate service. However, the purpose of the Commission’s service quality rules is to protect consumers that *do not* have adequate service, particularly if they lack adequate service during an emergency. The fact that some customers do not experience service quality issues is of no comfort to a customer whose service has been out for days, or who has been waiting on hold with their provider for hours. The Staff

⁵ CTIA Comment at p. 6; Verizon Comments at p. 37; T-Mobile Comments at p. 33; AT&T Comments at p. 40.

⁶ Staff proposal at pp. 27-28.

⁷ AT&T Comments at p. 1; T-Mobile Comments at p. 25; Verizon Comments at p. 6; CTIA Comments at p. 33.

⁸ CTIA Comments at p. 33; *See* Verizon Comments at p. 5;

Proposal properly focuses on the needs of those customers who do not receive adequate service quality.

C. The Commission Should Reject Provider Arguments that More Fruitless Discussion is Necessary.

Verizon, predictably, argues that it is somehow entitled to additional time to review and comment on the staff proposal.⁹ Providers also repeatedly insist that further record development is needed.¹⁰ The Commission should reject these arguments.

Throughout the development of this proceeding and its predecessor, providers have repeatedly declined to provide evidence to the Commission,¹¹ and have, at times, refused even when ordered to do so.¹² Yet, each time the Commission indicates that it is prepared to issue service quality requirements for wireless providers, those same providers suddenly discover an urgent need to provide additional information to the Commission and argue that they should be provided with yet another opportunity to provide information.¹³ Effectively, they try to insist on a focus on factual development, after stonewalling efforts to enhance the record. The Commission has consistently (and properly) rejected those requests, citing the providers' failure to provide that information despite ample opportunities to do so.¹⁴

As CforAT (jointly with RCRC) noted in our opening comments, providers have unnecessarily delayed this proceeding (and the prior service quality proceeding) by refusing to

⁹ Verizon Comments at pp. 30-31.

¹⁰ AT&T Comments at p. 50; CTIA Comments at p. 58; T-Mobile Comments at p. 6; Verizon Comments at p. 1.

¹¹ R.22-03-016. Administrative Law Judge's Ruling Denying Motion to Reopen Record at pp. 2-3, issued June 3, 2026 (ALJ Ruling Denying Motion to Reopen Record).

¹² Staff Proposal at p. 7.

¹³ See Staff Proposal at p. 7.

¹⁴ ALJ Ruling Denying Motion to Reopen Record.

provide information to both the Commission¹⁵ and to other parties,¹⁶ then claiming that the record in this proceeding is insufficient.¹⁷ Given providers' repeated use of this strategy, it is apparent that providers' arguments are a delaying tactic, not a good-faith argument. The Commission should treat those arguments as such.

In other proceedings, providers freely and repeatedly emphasize the need for the Commission to act quickly in order to protect corporate financial interests. For example, in the recent Verizon/Frontier merger proceeding, Verizon insisted that the Commission needed to vote on the proposed transaction before December 31, 2025, or it would risk causing the carrier to incur substantial costs.¹⁸ In this proceeding, every day consumers face the ongoing risk of harm because they do not have the protection of the Staff Proposal's proposed service quality requirements. Without such protections, they risk incurring substantial harms and costs, including not only the financial harm of paying for service they cannot use, but also the potential catastrophic financial and physical harms that could occur when consumers cannot contact first responders or medical assistance.

Given the potentially enormous economic impacts as well as the public safety impacts on California wireless subscribers in the absence of wireless service quality rules, the Commission should reject providers' requests for further unnecessary delay.

D. The Staff Proposal is Supported by Substantial Evidence

The Staff Proposal is supported by substantial evidence in the record, notwithstanding providers' strategic choice to avoid introducing much information into the record. While

¹⁵ Administrative Law Judge's Ruling Ordering AT&T, T-Mobile, and Verizon to Produce Previously Ordered Data at pp. 2-3, issued July 10, 2026.

¹⁶ Expedited Motion of The Utility Reform Network, and Center for Accessible Technology for a Protective Order at pp. 2-3, filed August 27, 2026.

¹⁷ RCRC and CforAT Comments at p. 2.

¹⁸ See, e.g., A.24-10-006, Joint Applicants Motion to Modify the Procedural Schedule, filed Sept. 5, 2025.

industry parties raise various arguments claiming that the Staff Proposal’s recommendations are unsupported, the briefest review of those arguments reveals that this is not the case. T-Mobile argues that it has provided enough evidence to demonstrate that “there is no basis or need for the Commission to impose service quality mandates on wireless providers.”¹⁹ Verizon argues that there is no substantial evidence to support the proposed Customer Service standard²⁰ or Network Availability Standard²¹ and cites to evidence that purportedly indicates that service quality standards are unnecessary.²² AT&T argues the Staff Proposal is flawed because it “makes no effort to even consider the evidence that AT&T and other providers have placed in the record regarding what customers value.”²³ CTIA similarly argues that “the proposal ignores or discounts substantial evidence demonstrating the reliability and resiliency of wireless networks.”²⁴

Provider’s arguments purport to challenge the Staff Proposal under the substantial evidence standard, but instead are arguments that the Commission should have given providers’ arguments more weight. In other words, providers take issue with the fact that the Commission found industry parties’ arguments and evidence less compelling than the other, extensive, material in the record of this proceeding. Additionally, industry parties claim that the Staff Proposal improperly relies on public statements and hearsay, while handwaving away the Staff Proposal’s reliance on other evidence, including data about community isolation outages,²⁵

¹⁹ T-Mobile Comments at p. 5. Based on four responses to questions asked at the second workshop, T-Mobile posits that the Commission has not considered any evidence provided by the carriers. This is a gross mischaracterization.

²⁰ Verizon Comments at p. 8.

²¹ Verizon Comments at pp. 14-15.

²² Verizon Comments at pp. 10, 15.

²³ AT&T Comments at p. 4.

²⁴ CTIA Comments at p. 32.

²⁵ Staff Proposal at p. 38.

evidence that provider service maps do not accurately reflect signal propagation,²⁶ and the need for more granular data wireless coverage.²⁷ The Commission has a sufficient substantial record from both this proceeding and R.22-03-016 to act in its quasi-legislative capacity²⁸ and move swiftly to adopt the Staff Proposal’s proposed service quality rules.

E. The Commission Should Providers' Assertions that Competition is Sufficient to Address Service Quality Concerns.

Providers continue to cling to dubious claims that competition is sufficient to ensure sufficient service quality.²⁹ T-Mobile argues that competition makes service quality standards unnecessary.³⁰ Verizon argues that “the industry aggressively competes to provide quality and reliable wireless service to customers.”³¹ AT&T and CTIA make similar arguments.³² However, as the Commission has previously determined, claims about competition are irrelevant.

“Examining the state of competition is unnecessary, as it is clear, based on the record, that whatever market forces exist have not disciplined service quality for... wireless voice service.”³³

Additionally, as the Staff Proposal states:

[E]vidence of competition or a narrower margin spread does not establish that the carriers lack the financial or technical capacity to report service quality data to regulators. Nor does competition provide the Commission with a common baseline for comparing call drop rates, network availability, outage duration, restoration time, signal strength, or customer service access across carriers and communities. Finally, nationwide competition doesn’t always translate to competition at the local level. In many areas of California, residents find themselves with access to only a single wireless carrier or none at all. For those

²⁶ Staff Proposal at p. 46.

²⁷ Staff Proposal at p. 37.

²⁸ The Legislature has given the Commission the authority to make quasi-legislative regulations which “bind...courts as firmly as statutes themselves.” *Center for Biological Diversity v. Public Utilities Commission*, S283614 (Aug. 7, 2025).

²⁹ AT&T Comments at p. 2.

³⁰ T-Mobile Comments at p. 36.

³¹ Verizon Comments at p. 2.

³² AT&T Comments at p. 5; CTIA Comments at p. 30.

³³ D. 25-09-031 at p. 35

Californians, this lack of option prevents them from enjoying the benefits of competition, such as better prices and improved service quality.³⁴

AT&T and CTIA's arguments do not support the claim that competition makes service quality protections unnecessary. AT&T argues that "[w]ireless service providers already compete vigorously on customer care satisfaction, and that competition gives wireless service providers strong market-based *incentives* to maintain high service quality."³⁵ It further states that "[t]his competitive wireless environment *encourages* AT&T to approach customer service as a proactive, customer-first function."³⁶ CTIA argues that "competition among wireless providers already creates powerful *incentives* to maintain reliable networks, minimize outages, and deliver high-quality service at competitive prices."³⁷ However, while competition may create incentives or encourage service quality improvements, incentives or encouragement are insufficient to guarantee a minimum level of service quality. Moreover, the providers undercut their own efforts to assert that competition can substitute for service quality standards in their efforts to discourage consumer access to information that might inform their competitive choices, such as access to more detailed maps of signal strength.³⁸

This flawed reasoning is especially apparent in providers' insistence that "service quality" should be defined using a subjective measure of "what customers value,"³⁹ rather than on objective metrics that ensure service is available.

³⁴ Staff Proposal at p. 24.

³⁵ AT&T Comments at p. 5 (emphasis added).

³⁶ AT&T Comments at p. 2 (emphasis added).

³⁷ CTIA Comments at p. 30. (emphasis added).

³⁸ Verizon Comments at p. 3; T-Mobile Comments at p. 31.

³⁹ AT&T Comments at p. 4; T-Mobile Comments at p. 6.

F. The Commission Should Reject Industry Parties' Attempt to Sow Confusion by Seeking to Reframe Service Quality Concerns as Coverage Concerns

In an effort to dodge concerns about customers' inability to place calls or to maintain calls that are not dropped and that have reasonable sound quality between parties, Industry Parties all argue that the Staff Proposal's concerns about adequate service are really issues about coverage. For example, AT&T claims that statements of concern about repeated outages in particular communities "strongly suggest[] that the primary objective of the Proposal (or the primary problem Staff seeks to allegedly remedy) is the *purported absence of wireless coverage in certain areas of California*." ⁴⁰ Verizon argues that the "Staff Proposal quotes remarks at the PPHs and workshop that were purportedly about outages; but these comments raise concerns about wireless *coverage* and not outages."⁴¹ T-Mobile states that "the Staff Proposal conflates the concept of service quality (which the Commission has considered to be reflected in coverage outage events) and the extent of service coverage (which is a matter of network deployment)."⁴² And CTIA asserts that the "Staff Proposal also highlights negative comments made at the Workshop and in public comments regarding coverage – not service quality..."⁴³

This effort to divert the conversation from service quality to coverage is remarkable given the industry parties' longstanding assertions that they provide effective coverage to virtually all Californians,⁴⁴ as well as their opposition to the portion of the Staff Proposal that would require improved coverage mapping based on actual signal strength.⁴⁵

⁴⁰ AT&T Comments on Staff Proposal at p. 24 (emphasis in the original, internal citations omitted).

⁴¹ Verizon Comments on Staff Proposal at p. 14 (emphasis in the original, internal citations omitted).

⁴² T-Mobile Comments on Staff Proposal at pp. 19-20 (internal citations omitted).

⁴³ CTIA Comments on Staff Proposal at p. 26.

⁴⁴ See CTIA Comments at pp. 25-26 (claiming that requirements that other providers carry 911 calls somehow guarantees that all customers have access to 911).

⁴⁵ See CTIA Comments on Staff Proposal at pp. 21-24; Verizon Comments on Staff Proposal at pp. 22-26; AT&T Comments on Staff Proposal at pp. 48-49; T-Mobile Comments on Staff Proposal at pp. 31-36.

For example, Verizon argues that the proposed signal propagation mapping requirement “is a solution in search of a problem” and “may result in customer confusion.”⁴⁶ Yet the record contains multiple examples of customers in locations that existing maps claim are “served” but where customers cannot make calls.⁴⁷ To the extent that industry parties assert that there is no evidence in the record that existing maps are inadequate,⁴⁸ they are simply wrong. And to the extent that they argue that lack of signal strength to make calls in areas shown as “served” on their existing maps are issues of coverage rather than service quality, the need for improved maps is only more evident.

The industry party effort to change the subject to coverage rather than service quality also raises additional concerns beyond the need for improved mapping. First, it is an apparent attempt to try to shift the conversation to deployment questions, which they will then argue are outside of the Commission’s jurisdiction.⁴⁹ Second, it completely dodges issues of network congestion that results in inadequate coverage.⁵⁰ The record shows that providers have mechanisms other than deployment of permanent facilities to address network congestion, and that congestion during an emergency is a public safety hazard. The Commission has a record that is more than sufficient to act in its quasi-legislative capacity to address this concern.

⁴⁶ Verizon Comments on Staff Proposal at p. 23.

⁴⁷ See e.g. RCRC/CforAT Comments on Staff Proposal at pp. 8-10 (showing locations that are marked as “served” through 5G technology on provider maps, but where multiple people were unable to place calls during a recent emergency).

⁴⁸ See e.g. T-Mobile Comments on Staff Proposal at p. 35 (“no credible suggestion anywhere in the record that the current maps provided by carriers present any type of issue with consumers...”); AT&T Comments on Staff Proposal “no evidence to suggest that the online AT&T and/or FCC maps are not adequate to provide the needed information regarding network coverage in any particular geographic area”).

⁴⁹ See e.g. CTIA Comments on Staff Proposal at pp. 38-40; Verizon Comments on Staff Proposal at p. 14, fn. 56.

⁵⁰ Compare RCRC/CforAT Comments on Staff Proposal at pp. 5-6 and Verizon Comments on Staff Proposal at p. 14, each discussing service failures due to network congestion during an emergency situation in Lake County.

Finally, carriers completely sidestep articulated concerns by numerous members of the public and public officials regarding inadequate ability to place calls in their home. The industry parties mostly argue that customers who don't have adequate service can cancel their agreement with their carrier and obtain alternative service.⁵¹ However, this does not address situations noted in the record where there is only one carrier in an area, nor does it address call failures during an emergency event. It is also telling that the carriers argued that efforts to better illustrate coverage through improved mapping would raise competitive concerns; as noted in RCRC/CforAT's opening comments,⁵² information to customers about which carrier provides superior service in an area is the exact type of competitive pressure that carriers assert exists currently, and it should be encouraged rather than suppressed.

Customers purchase wireless service expecting that they will be able to place and receive calls in the areas that they frequent and when they experience an emergency while they are out and about in their community. Providers do all they can with their advertising and publicity to encourage this belief. Yet the record contains clear information from throughout the state, particularly in rural areas but also in urban areas such as Richmond, that this is not necessarily the case. The Staff Proposal, with the modifications proposed by RCRC and CforAT, will substantially advance protections for customers who rely on their wireless service, including during emergencies, and it should be adopted.

⁵¹ See e.g. AT&T Comments on Staff Proposal at pp. 48-49; Verizon Comments on Staff Proposal at pp. 17, 23.

⁵² RCRC/CforAT Comments on Staff Proposal at p. 12.

III. CONCLUSION

For the above-stated reasons, the Commission should adopt the Staff Proposal, with the clarifications and modifications proposed by RCRC and CforAT.

Respectfully submitted,
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