STATE OF CALIFORNIA GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED
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November 6, 2026

Agenda ID #24633
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 25-07-016:

This is the proposed decision of Administrative Law Judge Jamie Ormond. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's December 17, 2026 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure (Rules).

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, *ex parte* communications are prohibited pursuant to Rule 8.2(c)(4).

/s/ MICHELLE COOKE
Michelle Cooke
Chief Administrative Law Judge

MLC:nd3
Attachment

Decision **PROPOSED DECISION OF ALJ ORMOND (Mailed 11/6/2026)**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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

DECISION GRANTING PETITION FOR MODIFICATION OF DECISION 26-08-033

Summary

This decision grants the Petition for Modification filed by Media Alliance in Decision 26-08-033 and corrects two errors.

1. Background

On August 13, 2026, the California Public Utilities Commission (Commission) adopted Decision (D.) 26-08-033: Granting Indirect Transfer of Control Subject to the Settlement Agreements and Mitigation Measures.

On August 24, 2026, Media Alliance filed a Petition for Modification (Petition) to correct a typographical error and harmonize the narrative of the Decision and its Ordering Paragraphs.

On September 10, 2026, Charter Communications, Inc. (Charter) filed a response to the Petition for Modification.

2. Submission Date

This matter was submitted on the receipt of the response to the Petition, received September 10, 2026.

3. Summary of Petition

Media Alliance's Petition requests that the Commission correct a "scrivener's error… that has material consequences" and strike the time clause in Ordering Paragraph 8 of D.26-08-033.[1] Media Alliance notes that the body of the decision declines to set a time duration on the requirements in Ordering Paragraph 8 targeting Public, Educational, and Government-Access (PEG) programming. Specifically, the discussion states that the Commission will "decline to place a duration on these requirements, as an informed populace is a cornerstone of democracy."[2]

However, Ordering Paragraph 8 includes a time duration clause of "five years afterward" the effective date of this decision. Media Alliance requests that the duration clause that appears in Ordering Paragraph 8 "for five years afterward" be removed because it does not comport with the body of the decision.[3]

4. Response to Petition

On September 10, 2026, Charter filed a response to the Petition arguing that the phrase "for five years afterward" was affirmatively added to Ordering

[1] Petition at 2.

[2] Petition at 4, quoting D.26-08-033 at 69.

[3] Petition at 2.

Paragraphs 7 and 8, not a "mere typo."[4] Charter argues that the Commission's Ordering Paragraph 8 must include a time duration to its ability to charge PEG channels service fees, or else the decision would act as a rulemaking for a single company rather than a merger-related condition to mitigate a harm.[5]

5. Modification of Ordering Paragraph 8

The Commission agrees with Media Alliance. The insertion of a time duration clause in Ordering Paragraph 8 is inconsistent with the body of the decision and the intent of the Commission to promote "an informed populace." An informed populace is a cornerstone of democracy.[6] To correct the error, "and for five years afterward" is deleted from Ordering Paragraph 8.

6. Correction of Conclusion of Law 6 and Ordering Paragraph 4

The Commission takes this opportunity to correct an additional error found in D.26-08-033.

In D.26-08-033, the Commission states "that the post-merger company should offer a 72-hour backup battery solution to all residential customers, not just new residential customers."[7] However, Conclusion of Law 6 and Ordering Paragraph 4 erroneously state that the 72-hour backup battery shall be available to "all new residential wireline voice service customers." To correct this error, "new" is deleted from Conclusion of Law 6 and Ordering Paragraph 4, as described below.

[4] Charter's Response to the Petition for Modification of Media Alliance, September 10, 2026, at 2.

[5] Charter's Response to the Petition for Modification of Media Alliance, September 10, 2026, at 2.

[6] D.26-08-033 at 69.

[7] D.26-08-033 at 65.

7. Summary of Public Comment

Rule 1.18 of the Commission's Rules of Practice and Procedure (Rules) allows any member of the public to submit written comment in any Commission proceeding using the "Public Comment" tab of the online Docket Card for that proceeding on the Commission's website. Rule 1.18(a) requires that all written public comment submitted prior to the submission of the proceeding are part of the administrative record of the proceeding. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding.

The Commission received two public comments since the Petition was filed. Neither public comment is relevant to the request in the Petition.

8. Conclusion

D.26-08-033 is revised to modify Ordering Paragraph 8, Conclusion of Law 6, and Ordering Paragraph 4.

9. Procedural Matters

This decision affirms all rulings made by the Administrative Law Judge (ALJ) and assigned Commissioner in this proceeding. All motions not ruled on are deemed denied.

10. Comments on Proposed Decision

The proposed decision of ALJ Jamie Ormond in this matter was mailed to the parties in accordance with Public Utilities Code Section 311 and comments were allowed under Rule 14.3.

11. Assignment of Proceeding

Matthew Baker is the assigned Commissioner and Jamie Ormond is the assigned ALJ in this proceeding.

Findings of Fact

1. The insertion of a time duration clause in Ordering Paragraph 8 is inconsistent with the body of the decision and the intent of the Commission to promote "an informed populace."

2. Conclusion of Law 6 and Ordering Paragraph 4 erroneously state that the 72-hour backup battery shall be available to "all new residential wireline voice service customers," instead of "all residential customers."

Conclusions of Law

1. Ordering Paragraph 8 of D.26-08-033 should be modified to delete the language provided in the strikethrough below:

> Within nine months of the effective date of this decision ~~and for five years afterward~~, the post-merger company shall broadcast all Public, Educational, and Government-Access (PEG) programming throughout its entire footprint the entire service territory at High-Definition (HD) streaming quality. PEG programming schedules shall be made available on all electronic programming guides and shall, immediately following the issuance of this decision, cease charging PEG channels for services per Public Utilities Code Section 5870.

2. Conclusion of Law 6 of D.26-08-033 should be modified to delete the language provided in the strikethrough below:

> It is reasonable to require the post-merger company to make available to all ~~new~~ residential wireline voice service customers in California access to at least one battery backup solution that provides 72 hours of standby time.

3. Ordering Paragraph 4 of D.26-08-033 should be modified to delete the language provided in the strikethrough below:

> The post-merger company shall offer at least one backup solution with one or more batteries that together provide at least 72 hours standby time to all ~~new~~ residential wireline voice service customers in California. The post-merger

company shall provide an annual notice to all residential wireline voice service customers in California State disclosing relevant information regarding battery backup solutions. The post-merger company shall attest to this compliance in a Tier 1 advice letter to the Commission on April 15, 2027.

4. Citations to D.26-08-033 should note that it is modified by this decision.

5. Application 25-07-016 should be closed.

O R D E R

IT IS ORDERED that:

1. Conclusion of Law 6 of Decision 26-08-033 is modified to state:

   It is reasonable to require the post-merger company to make available to all residential wireline voice customers in California access to at least one battery backup solution that provides 72 hours of standby time.

2. Ordering Paragraph 4 of Decision 26-08-033 is modified to state:

   The post-merger company shall offer at least one backup solution with one or more batteries that together provide at least 72 hours of standby time to all residential wireline voice service customers in California. The post-merger company shall provide an annual notice to all residential wireline voice service customers in California State disclosing relevant information regarding battery backup solutions. The post-merger company shall attest to this compliance in a Tier 1 advice letter to the Commission on April 15, 2027.

3. Ordering Paragraph 8 of Decision 26-08-033 is modified to state:

   Within nine months of the effective date of this decision, the post-merger company shall broadcast all Public, Educational, and Government-Access (PEG) programming throughout its entire footprint the entire service territory at High-Definition (HD) streaming quality. PEG programming schedules shall be made available on all electronic programming guides and shall, immediately following the issuance of this decision, cease charging PEG channels for services per Public Utilities Code Section 5870.

4. Citations to Decision 26-08-033 shall state that it is modified by this decision.

5. Application 25-07-016 is closed.

This order is effective today.

Dated _____, at San Francisco, California.