

Decision 26-09-005 September 3, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Bob Davis,

Complainant,

vs.

Pacific Bell d/b/a AT&T California (U1001C),
Defendants.

(ECP)

Case 25-11-004

**DECISION DISMISSING EXPEDITED COMPLAINT
PROCEEDING AS MOOT AND FOR FAILURE TO PROSECUTE**

Summary

This decision dismisses the complaint filed by Bob Davis against Pacific Bell d/b/a AT&T California (AT&T or Defendant) As Moot and for failure to prosecute. The Complainant's home landline service was restored as of June 16, 2026, and the Complainant was not charged throughout the duration of the outage. The complaint against AT&T is vacated and the complaint is dismissed.

This proceeding is closed.

1. Procedural and Factual Background

Bob Davis (Complainant) filed the instant complaint against AT&T on November 12, 2025, pursuant to Rule 4.6 of the Commission's Rules of Practice

and Procedure (Rule or Rules).¹ Complainant alleges that AT&T disconnected his home landline service and has yet to restore it.

Complainant alleges that on September 15, 2025, AT&T disconnected his home landline telephone service. Complainant alleges he contacted AT&T customer service more than a dozen times and was told contradictory information regarding his landline outage. Complainant alleges he was told his home phone outage was due to either: (1) cable theft; (2) construction site cutting the cable; and (3) a line down. Complainant requests for the timely restoration of his landline service and to not be charged during the duration of the outage.

On December 19, 2025, AT&T timely filed its Answer. In the Answer, AT&T notes that it investigated the Complainant's landline outage and confirmed that the outage was due to copper theft and vandalism. AT&T noted that it expected service restoration on or about January 28, 2026, and that it would provide billing adjustments to the Complainant until full service was restored.

1.1. Hearing Preferences

Before a hearing could be scheduled, the Complainant phoned both the Commission's Public Advisor's Office and the Chief Administrative Law Judge (ALJ) to inquire on the status of this case.² The Complainant explained he does not have email or access to a computer. Considering the Complainant's

¹ Rule 4.6 are the rules governing Expedited Complaint Procedures, or ECPs before the Commission (*see also*, Public Utilities Code Section 1702.1).

² *See* E-Mail Ruling Off-Calendaring April 9, 2026 Hearing (dated April 1, 2026) for a timeline of the Complainant's outreach to Commission staff.

proximity to the Commission's Los Angeles Office, and the fact he does not have access to a computer, an in-person hearing at the Commission's Los Angeles Office was noticed.

On March 23, 2026, the assigned ALJ issued a ruling noticing an evidentiary hearing in this case for Thursday April 9, 2026 at the Commission's Los Angeles Office. The ruling also provided instructions on how to submit exhibits and directed the Commission's Process Office to mail the ruling to the Complainant at the physical address listed on the service list to the proceeding. On March 30, 2026, the Complainant spoke with a member of the Commission's Public Advisor's Office expressing that he could not attend the April 9th hearing, and that he would not attend anything in-person. On April 1, 2026 the assigned ALJ issued a ruling notifying both the Complainant and Defendant that the April 9, 2026 hearing would be rescheduled. The April 1st ALJ Ruling directed the Complainant and Defendant to meet and confer to propose at least four dates and times that would be suitable for a hearing in this proceeding. The April 1st ALJ Ruling also asked if parties would be amenable to a hearing conducted virtually on the Commission's Webex platform which has both a video and call-in option.

On April 10, 2026 the Defendant filed a Response on behalf of AT&T and the Complainant, providing three amendable dates for a hearing to occur. The April 10th Response indicated that parties agreed for the hearing to be conducted on the Commission's virtual WebEx platform with both a call-in and video option. After reviewing the April 10th filing, the assigned ALJ issued a ruling

setting an evidentiary hearing for May 11, 2026, at 1:00 p.m. via the Commission's WebEx platform.³

1.2. May 11, 2026 Evidentiary Hearing

On Monday May 11, 2026, the Complainant and Defendant attended a hearing via the Commission's Webex platform. The hearing lasted approximately 1 hour and focused on the Complainant's underlying grievance: that his home landline service has been out of service for a length of time. The Defendant estimated the Complainant's landline would be restored by the end of May 2026. Accordingly, the Parties agreed to a continuance until June 2026 to follow-up on the status of the Complainant's landline service restoration. The Assigned ALJ issued a ruling on May 18, 2026 to memorialize the discussion at the May 11th hearing, and to notice a continuation hearing for June 9, 2026. The May 18, 2026, ruling directed service of the ruling to the Complainant via hardcopy mail at the physical address listed on the service list for this proceeding.

1.3. June 9, 2026 Continuance Hearing

On June 9, 2026, at 1:00 p.m. the continuation hearing was held via the Commission's Webex Platform. The Defendant (AT&T) was present from 1:00 pm to 1:20 pm and relayed that the Complainant's home phone service had been restored as of June 4, 2026. Because the Complainant was absent, the ALJ stated she would document the conversation via ruling and would end the hearing. At 1:55pm the Complainant reached out to the Chief ALJ and indicated they were having difficulties calling into the hearing. At 1:59 pm the assigned ALJ

³ See Ruling Setting Evidentiary Hearing for Monday May 11, 2026 at 1:00 p.m. and Exhibit Instructions.

re-opened the hearing for the Complainant to join. The Complainant was present from 1:59 pm to 2:10 pm and expressed frustration at their continued home landline outage. The Complainant became increasingly upset and hung-up on the assigned ALJ. The assigned ALJ issued a ruling on June 10, 2026 memorializing the June 9th discussion and continuing the matter until June 30, 2026. Considering the Complainant's statements that his home landline continued to be out, the June 10th ALJ Ruling directed the Defendant to provide: (1) an attestation as to when the Complainant's home phone service should be restored; and (2) updated billing information to show what credits were being applied to the Complainant's account throughout the duration of his home landline outage.⁴ The ruling directed the Commission's Process Office to mail, via certified mail, the June 10th ALJ Ruling, in addition to all prior rulings in the proceeding to the Complainant at the physical address listed on the service list for this proceeding.⁵

1.4. June 30, 2026 Continuance Hearing

On June 30, 2026, the assigned ALJ convened a continuation hearing in this matter. The Defendant was the only party present. The assigned ALJ had a staff member call the Complainant to see if they planned on attending the hearing, and the Complainant indicated he would not and would no longer participate in this matter.

⁴ Defendant provided both documents on June 29, 2026 via Response.

⁵ The Commission's Process Office mailed all the rulings in this proceeding to the Complainant at his physical address listed on the service list via certified mail on June 11, 2026 with a received signature as of June 15, 2026.

1.5. Documents Filed

The only document the Complainant filed in this proceeding is the filled-out Expedited Complaint Form, without attachments. The documents the Defendant filed in this proceeding are: Answer; Response April 10, 2026; Response June 1, 2026; and Response June 29, 2026.

1.6. Response and Attestation

The June 29, 2026 Response includes an attestation from AT&T as to the Complainant's home phone service status and updated billing/account information. The Defendant details the following: *on June 16, 2026 an Associate Director in the Access Construction and Engineering Department dispatched an AT&T employee to the Complainant's home to test whether the Complainant's telephone was operational.⁶ At approximately 2:15 p.m. PST, the employee conducted testing at the Serving Area Interface ("SAI") associated with the Complainant's telephone line and, based thereon, confirmed there was dial tone at the SAI.⁷ The AT&T employee proceeded to conduct a visual inspection of the relevant outside plant facilities, and observed and determined that an F2 cable had been compromised at or near the serving telephone pole situated to the rear of the service address's street.⁸ Thereafter, and to mitigate the service impairment and restore service, the AT&T employee utilized an alternate section of cable to extend service from the pole terminal to the 1.1 at the living unit.⁹ Upon completion of the aforesaid connection, the technician placed a call to the Complainant's telephone*

⁶ June 29, 2026, Response at Attachment B (Declaration of Michael B. Houston).

⁷ June 29, 2026, Response at Attachment B (Declaration of Michael B. Houston).

⁸ June 29, 2026, Response at Attachment B (Declaration of Michael B. Houston).

⁹ June 29, 2026, Response at Attachment B (Declaration of Michael B. Houston).

*number, whereupon the call rang inside the residence, thereby evidencing restoration of service to the premises on June 16, 2026.*¹⁰

2. Discussion

Throughout the pendency of this proceeding, the Complainant's main grievance was that their home landline service had been disconnected. However, without the Complainant's participation and/or rebuttal, we accept AT&T's June 29, 2026 Response as a true accounting of the status of the Complainant's home phone service. Accordingly, this decision finds that the Complainant's home phone was restored as of June 16, 2026. Moreover, in reviewing the billing information provided in the June 29, 2026, it is evident that AT&T did not charge the Complainant throughout the duration of his home landline outage.

Considering that the Complainant does not want to participate in this matter further and the fact that the underlying alleged issue has been rectified, there is no reason for this proceeding to remain open. This matter is dismissed as Moot and for the Complainant's failure to prosecute. The instant complaint against the Defendant is vacated.

3. Summary of Public Comment

Rule 1.18 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)

¹⁰ June 29, 2026, Response at Attachment B (Declaration of Michael B. Houston).

requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding. As of July 23, 2026, there are no public comments filed in relation to this proceeding.

4. Procedural Matters

This decision affirms all rulings made by the Administrative Law Judge and assigned Commissioner in this proceeding. This decision grants two pending motions from AT&T to file certain information under seal. Specifically, this decision grants AT&T's Motion for confidential treatment for the information submitted on June 1, 2026, and June 29, 2026, respectively.

5. Waiver of Comment Period

Pursuant to Rule 14.7(b), the 30-day public review and comment period required by Section 311 of the Public Utilities Code and the opportunity to file comments on the proposed decision is not applicable in Expedited Complaint Proceedings. Accordingly, this matter was placed on the Commission's agenda directly for prompt action.

6. Assignment of Proceeding

Christine Harada is the assigned Commissioner and Sasha Goldberg is the assigned Administrative Law Judge in this proceeding.

O R D E R

IT IS ORDERED that:

1. Complaint 25-11-004 against Pacific Bell d/b/a AT&T California is vacated.
2. Complaint 25-11-004 is dismissed.

This order is effective today.

Dated September 3, 2026, at Sacramento, California.

JOHN REYNOLDS

President

DARCIE L. HOUCK

KAREN DOUGLAS

MATTHEW BAKER

CHRISTINE HARADA

Commissioners