

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

Application of Pacific Bell Telephone  
Company D/B/A AT&T California  
(U1001C) to Relinquish its Eligible  
Telecommunications Carrier Designation

Application 23-03-002

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**TESTIMONY OF  
SUSAN M. BALDWIN  
ON BEHALF OF TURN**

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Filed: November 30, 2023

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
	A. Qualifications .....	1
	B. Scope of Testimony.....	2
	C. Summary of Testimony .....	3
II.	BACKGROUND .....	4
	A. Scope of Proceeding .....	4
	B. Relevant Statutory and Legal Framework .....	6
	C. Overview of the Company’s operating territory .....	10
III.	OVERVIEW OF AT&T’S APPLICATION .....	13
IV.	ANALYSIS OF AT&T’S APPLICATION .....	18
	A. Overview.....	18
	B. AT&T’s Lifeline customers.....	18
	C. AT&T’s representations of ETCs’ service areas .....	21
	D. Wireless service is not as available as AT&T’s Supplemental Application implies..	28
	E. Many consumers lack the alternative to AT&T’s wireline voice service that cable companies’ platform provides.....	38
	F. Wireline resellers depend on AT&T’s network in order to serve Lifeline customers.	47
	G. Public interest considerations. ....	51
V.	CONCLUSION.....	54

1  
2  
3  
  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
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21  
22  
23  
  
24  
25  
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**List of Attachments**

Attachment A                      Statement of Qualifications

**List of Exhibits**

Exhibit SMB-1	Map of AT&T’s Service Territory in California
Exhibit SMB-2	Illustrative Wire Center and Census Blocks
Exhibit SMB-3	AT&T’s response to TURN 2-5, including Attachment 5.1
Exhibit SMB-4	AT&T Response to TURN 2-8, including Attachment 8.1
Exhibit SMB-5	Locations of Lifeline Customers (as of December 2022)
Exhibit SMB-6	AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329
Confidential Exhibit SMB-7	AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (files with wire center boundaries)
Exhibit SMB-8	Excerpts from public participation hearings in service quality proceeding (Rulemaking 22-03-016)
Exhibit SMB-9	Three Examples of Poor or Nonexistent Wireless Service in AT&T’s Service Territory
Exhibit SMB-10	Overlap in Big Sur Between Lack of Reliable Wireless Service and Lifeline Customers’ Residences
Exhibit SMB-11	Overlap in Forest Ranch Between Lack of Reliable Wireless Service and Lifeline Customers’ Residences
Exhibit SMB-12	Overlap in Arnold Between Lack of Reliable Wireless Service and Lifeline Customers’ Residences
Exhibit SMB-13	AT&T Wire Centers and ESJ Communities
Exhibit SMB-14	AT&T Wire Centers, ESJ Communities, and Cable ETC Deployment
Exhibit SMB-15	AT&T Wire Centers, ESJ Communities, Cable ETC Deployment, and Lifeline Customers

1	Exhibit SMB-16	AT&T Wire Centers, ESJ Communities, Cable ETC
2		Deployment, and Lifeline Customers between Fresno and
3		Bakersfield



## **I. INTRODUCTION**

### **A. Qualifications**

**Q: Please state your name, position, and business address.**

A: My name is Susan M. Baldwin. My business address is 45 Acorn Path, Groton, Massachusetts, 01450. Since 1984, I have been specializing in the economics, regulation, and public policy of utilities, with a long-standing focus on telecommunications and with a more recent focus on consumer issues in electric and gas markets. Since 2001, I have been consulting to public sector agencies and consumer advocates as an independent consultant.

**Q: Please summarize your educational background and professional experience.**

A: I have prepared a Statement of Qualifications, which is included as Attachment A.

**Q: Have you testified previously before the California Public Utilities Commission (“Commission”)?**

A: Yes, as Attachment A shows, I have testified several times before the Commission. Most recently, I also assisted Utility Consumers’ Action Network with its participation in the many phases of the Commission’s broadband proceeding.<sup>1</sup> Through that participation, I acquired familiarity with infrastructure deployment grants, such as the California Advanced Services Fund Federal Funding Account. Regarding the federal Lifeline program, on August 2, 2021, my declaration was submitted in support of comments filed by the National Association of State Utility Consumer Advocates in the Lifeline and Link Up Reform and Modernization proceeding of the Federal Communications Commission (“FCC”) (WC Docket No. 11-42).

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<sup>1</sup> Order Instituting Rulemaking Regarding Broadband Infrastructure Deployment and to Support Service Providers in the State of California, Rulemaking 20-09-001.

1    **B. Scope of Testimony**

2    **Q:     On whose behalf is this testimony being submitted?**

3    A:     This testimony is being submitted on behalf of The Utility Reform Network (“TURN”).

4    **Q:     What is the scope of your testimony?**

5    A:     TURN requested that I analyze the “Application of Pacific Bell Telephone Company  
6           d/b/a AT&T California (U 1001 C) to Relinquish Its Eligible Telecommunications  
7           Carrier Designation,” (“Original Application”),<sup>2</sup> as well as address the potential  
8           consumer impact of granting the Application of AT&T California (“AT&T”).

9    **Q:     How have you organized your testimony?**

10   A:     After this introductory section, in Section II, I summarize my understanding of the scope  
11           of this proceeding as well as the relevant statutory and legal framework for considering  
12           the merits of AT&T’s Application – my testimony is based on my general understanding  
13           of relevant policy guidelines – I am not testifying as a lawyer.

14

15           In Section III, I summarize generally my understanding of AT&T’s Application, and in  
16           Section IV, I demonstrate why the Commission should reject AT&T’s Application.  
17           Section V concludes my testimony.

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<sup>2</sup> AT&T submitted its original Application on March 3, 2023, and supplemented that application on August 24, 2023. I refer to these as the Original Application and Supplemental Application, respectively, and collectively as Application.

1 **C. Summary of Testimony**

2 **Q: Please summarize your testimony.**

3 A: AT&T has not substantiated its request to be relieved of its status as an eligible  
4 telecommunications carrier (“ETC”). AT&T has failed to demonstrate in its Original  
5 Application and Supplemental Application that AT&T’s customers are served by another  
6 ETC that is willing to provide service now or by the time the proposed relinquishment  
7 would go into effect. It is my expert opinion that AT&T has not provided the  
8 Commission enough information for the Commission to find that other ETCs can serve  
9 AT&T’s customers as required by 47 U.S.C. §214(e)(4).

10  
11 AT&T has not shown that customers throughout its service territory have reasonable  
12 alternatives. Wireless-based services are unreliable or non-existent in some areas. There  
13 are many gaps in cable-based ETCs’ coverage. The exit from the market by wireline  
14 resellers, one of which was identified in AT&T’s Original Application as an ETC,  
15 suggests that the viability of (and coverage by) the sole remaining wireline reseller may  
16 be tenuous. Approving AT&T’s Application would harm AT&T’s customers, including  
17 its Lifeline customers, potentially jeopardizing those customers’ ability to reach public  
18 safety reliably. I recommend that the Commission reject AT&T’s Application.

## II. BACKGROUND

### A. Scope of Proceeding

**Q: Please describe your understanding of the scope of this proceeding.**

A: On March 3, 2023, Pacific Bell Telephone Company D/B/A AT&T California (U1001C) submitted an application to Relinquish its Eligible Telecommunications Carrier (“ETC”) Designation, with a proposed effective date of December 1, 2023 (“Original Application”).<sup>3</sup> On April 6, 2023, the Center for Accessible Technology (CforAT) and The Utility Reform Network (TURN) filed a Protest to the Application (“CforAT/TURN Protest”). On April 17, 2023, AT&T submitted its Reply to the CforAT/TURN Protest. On May 2, 2023, CforAT/TURN filed a motion to dismiss the Original Application for failure to comply with the Commission’s rules and on May 23, 2023, AT&T submitted its Response to CforAT/TURN’s Motion to Dismiss. On August 24, 2023, AT&T submitted its Response to the Administrative Law Judge’s Ruling Requiring Additional Information (“Supplemental Application”).<sup>4</sup> TURN has issued two sets of discovery to AT&T. It is my understanding that the information provided thus far in this proceeding is public with the exception of the shape files that AT&T provided for its wire center boundaries.<sup>5</sup>

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<sup>3</sup> AT&T concurrently filed an application for “targeted relief from carrier-of-last-resort obligations.” Original Application, at 1, footnote 3. The Commission is addressing this application in A.23-03-003.

<sup>4</sup> Please note that I refer to AT&T’s August 24, 2023 as AT&T’s “Supplemental Application” whereas AT&T refers to that filing as its “Updated Application.”

<sup>5</sup> Among my exhibits are maps that rely on shape files corresponding with AT&T’s wire centers: although these exhibits rely on geographic information system (“GIS”) files that AT&T has designated as confidential, it is my understanding that AT&T does not consider my maps to be confidential. Other than

1 **Q: Has AT&T identified the portions of its various filings that should be considered as**  
2 **opening testimony in this proceeding?**

3 A: Yes. In an email to Administrative Law Judge Glegola, dated October 26, 2023 (“AT&T  
4 October 26 Email”) AT&T stated:

5 [T]he following portions of its prior filings should be treated as its opening  
6 testimony in this proceeding:  
7

- 8 • Attachments A and B to Pacific Bell Telephone Company d/b/a AT&T  
9 California’s (U 1001 C) Response to the Motion To Dismiss of The  
10 Utility Reform Network and Center for Accessible Technology (May  
11 23, 2023); and
- 12 • The following portions of Pacific Bell Telephone Company d/b/a  
13 AT&T California’s (U 1001 C) Response to the Administrative Law  
14 Judge’s Ruling Requiring Additional Information (Aug. 24, 2023)  
15 (“Updated Application”):
  - 16 ○ Section I.A and I.B of the Updated Application;
  - 17 ○ Section III of the Updated Application; and Attachments 1-6
  - 18 to the Updated Application.

19  
20 In the same October 26, 2023 email to Administrative Law Judge Glegola, AT&T

21 “confirm[ed] that, in light of Blue Casa’s September 13, 2023 Application of Blue Casa

22 Telephone, LLC (U 7222 C) to Discontinue Its Provision of Local Exchange and

23 Interexchange Services, including Basic Service, and Relinquish Eligible

24 Telecommunications Carrier Designation, it ‘will not rely in this proceeding on Blue

25 Casa’s presence as an alternative ETC.’”<sup>6</sup> AT&T also confirmed that Dr. Mark A. Israel

26 of Compass Lexecon will be AT&T’s expert witness sponsoring the filings designated

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Confidential Exhibit SMB-7, which includes a link to files showing wire center boundaries, which were provided by AT&T, my testimony does not include information designated as confidential by AT&T.

<sup>6</sup> AT&T October 26 Email.

1 above as AT&T's opening testimony, and AT&T will evaluate the need for additional  
2 witnesses once AT&T receives intervenors' testimony.<sup>7</sup>

### 3 **B. Relevant Statutory and Legal Framework**

4

5 **Q: Please describe generally your understanding of the provisions of the Public Utility**  
6 **Code and Commission regulations that pertain to the Company's service quality**  
7 **obligations.**

8 A: As the CforAT/TURN Protest explains, under 47 U.S.C. § 214(e)(4), the Commission  
9 cannot grant AT&T's Application unless and until the Commission is satisfied that *all*  
10 customers will continue to be served. 47 U.S.C. §214(e)(4) states:

11 Prior to permitting a telecommunications carrier designated as an eligible  
12 telecommunications carrier to cease providing universal service in an area  
13 served by more than one eligible telecommunications carrier, the State  
14 commission (or the Commission in the case of a common carrier  
15 designated under paragraph (6)) shall require the remaining eligible  
16 telecommunications carrier or carriers to ensure that all customers served  
17 by the relinquishing carrier will continue to be served, and shall require  
18 sufficient notice to permit the purchase or construction of adequate  
19 facilities by any remaining eligible telecommunications carrier.

20  
21 In considering the availability of other carriers, other states have only considered the  
22 availability of other wireline ETCs when a wireline ETC sought to relinquish its ETC  
23 status.<sup>8</sup> In this proceeding, the Commission should not approve AT&T's request to

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<sup>7</sup> AT&T October 26 Email.

<sup>8</sup> See, e.g., *In the Matter of the Application of Southwestern Bell Telephone Company d/b/a AT&T Kansas for an Order Confirming Relinquishment of its Eligible Telecommunications Carrier Designation in Specified Areas and Notice Pursuant to K.S.A. 2015 Supp. 66-2006(d) of Intent to Cease Participating in the Kansas Lifeline Service Program*, The State Corporation Commission Commission of the State of Kansas, Order on AT&T's Request to Relinquish Its Eligible Telecommunications (ETC) Designation, Docket No. 17-SWBT-158-MIS (dated March 14, 2019), available at <https://estar.kcc.ks.gov/estar/ViewFile.aspx/20190314112755.pdf?Id=baf48005-a630-4c40-92e3-305f5317ff5a>, at Ordering Paragraph A (p. 24) (partially granting relinquishment but denying AT&T's

1       relinquish its ETC status until the Commission has confirmed that *all* the relinquishing  
2       provider's customers will continue to be served and that the remaining ETCs are capable of  
3       ensuring such service, even if they need to purchase or construct additional facilities to do so.  
4       As I demonstrate in this testimony, AT&T has failed to demonstrate that *all* customers are  
5       served by at least one ETC that is prepared to ensure service to those customers.

6   **Q:   Please describe your general understanding of the Company's ETC obligations.**

7   A:   The Commission has designated AT&T as an Eligible Telecommunications Carrier  
8       (ETC),<sup>9</sup> which means that AT&T has an obligation to make voice service available in  
9       compliance with both federal and state requirements, throughout its service territory.<sup>10</sup>  
10      ETCs are expected to have the ability to remain functional in emergency situations and to  
11      provide voice service customers with access to 911/E911 emergency services.<sup>11</sup> As an  
12      ETC, AT&T does or may have an obligation to make broadband internet access service  
13      available at certain minimum speeds in certain areas tied to the receipt of federal  
14      universal service support, such as Connect America Fund Phase II (CAF II) or Rural  
15      Digital Opportunity Fund (RDOF) support. As an ETC, AT&T also has an obligation to  
16      make voice and/or broadband internet access service available to consumers who qualify  
17      for Lifeline service.

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relinquishment of its ETC designation on the basis that Lifeline-only ETCs, wireline and wireless resellers, could not be considered viable alternative ETCs for the purposes of approving AT&T's ETC relinquishment request), para. 43 (p. 18) (finding "[t]he distinction between different types of ETCs and their obligations should be recognized to avoid illogical – or illegal – outcomes" and concluding "the plain language of the entirety of 214(e)(4) implies the permissibility of type-by-type matching; and the FCC's creation of different types of ETCs with distinct obligations positively necessitates type-by-type matching").

<sup>9</sup> See, Resolution T-16105 (dated December 16, 1997).

<sup>10</sup> See, 47 U.S.C. § 214(e)(1), (2).

<sup>11</sup> See, 47 C.F.R. § 54.101, 54.202(a)(2).

1 **Q: In your view, does the scope of this proceeding relate to the scope of the**  
2 **Commission’s investigation of service quality, and, if so, how?**

3 A: Yes. In a separate proceeding, the Commission is investigating the quality of service  
4 offered by incumbent local exchange carriers (“ILEC”), such as AT&T.<sup>12</sup> In my view, as  
5 I explain later in my testimony, consumers’ statements during public participation  
6 hearings in the service quality proceeding regarding their reliance on ILEC-provisioned  
7 dial tone service as well as their experience with wireless service bear directly on the  
8 issues under investigation in this proceeding.

9 **Q: What is the status of the federal Lifeline subsidy for voice-only service?**

10 A: In July 2023, the Federal Communications Commission (“FCC”) extended its deadline  
11 for the phase-out of the voice-only subsidy, until December 1, 2024, which is the third  
12 such extension.<sup>13</sup> In its most recent stay, the FCC noted:

13 We continue to see a persistent minority of households still relying on  
14 qualifying Lifeline voice service for their connection needs. Indeed,  
15 approximately 350,000 Lifeline subscribers continue to subscribe to a  
16 voice-only plan. It is unclear what effect the elimination of voice support  
17 would have on this population’s ability to retain an affordable voice-  
18 service plan. Our action today ensures that these subscribers are not forced  
19 to subscribe to broadband bundled plans—which may be cost prohibitive  
20 and not useful to them—to maintain their access to a Lifeline-supported  
21 service. Our action also permits these households to maintain access to  
22 voice service that bridges a gap in the pursuit of universal service.  
23 Further, we are particularly cognizant of the potential harm if a Lifeline

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<sup>12</sup> Order Instituting Rulemaking Proceeding to Consider Amendments to General Order 133, Rulemaking 22-03-016.

<sup>13</sup> *In the Matter of Lifeline and Link Up Reform and Modernization et al.*, FCC, WC Docket No. 11-42, Order at ¶¶ 1-2 (rel. Jul. 7, 2023). In 2016, the FCC indicated its intent to eliminate federal funding for voice-only service as of 2021. *In the Matter of Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42, Third Report and Order, Further Report and Order, and Order on Reconsideration, at ¶¶ 62-65 (2016). However, the July Order is the third time that the FCC has extended the deadline for the phase-out of the voice-only subsidy. *In the Matter of Lifeline and Link Up Reform and Modernization et al.*, FCC, WC Docket No. 11-42, Order at ¶ 4. (rel. Jul. 7, 2023).



1 subscriber loses their voice service and their access to services such as  
2 911, 988, and other critical support hotlines.<sup>14</sup>  
3

4 **Q: Is the FCC’s reasoning in this Order applicable to the issues in this proceeding?**

5 A: Yes. In California, “a persistent minority of households” continue to rely on AT&T’s  
6 wireline voice service. As the FCC points out, voice service that is bundled with  
7 broadband service may be “cost-prohibitive and not useful” to customers subscribing to  
8 voice-only services. And also, as the FCC observes, if Lifeline customers lose their voice  
9 services, they may lose access to public safety services. The fact that these customers  
10 continue to rely on AT&T’s wireline-based voice service – despite AT&T’s claim of  
11 ETC-based alternatives – though not dispositive of, is nonetheless consistent with a  
12 finding that not all of AT&T’s customers actually have reliable alternatives to AT&T’s  
13 service.<sup>15</sup> In light of the serious service quality concerns that consumers have raised in  
14 the Commission’s Rulemaking 22-03-016, if consumers *could* find reliable alternatives  
15 many likely *would have*.

16 **Q: Does your testimony address just AT&T’s Lifeline customers or all of AT&T**  
17 **wireline customers?**

18 A: My testimony encompasses all of AT&T’s wireline customers. In some portions of my  
19 testimony, to illustrate the potential impact of AT&T’s Application on its customers, I  
20 analyze the specific impact on Lifeline customers, including, for example, in maps that I  
21 created to illustrate why AT&T’s Application is flawed. However, the problems that

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<sup>14</sup> *In the Matter of Lifeline and Link Up Reform and Modernization et al.*, FCC, WC Docket No. 11-42, Order at ¶12 (rel. Jul. 7, 2023), footnotes omitted.

<sup>15</sup> Throughout California, ILECs serve 2,404,000 lines (not VoIP), including 930,000 residential lines and 1,474,000 business lines. Voice Telephone Services as of June 30, 2022, released August 18, 2023. <https://www.fcc.gov/voice-telephone-services-report>, “State-Level Subscriptions (Excel).”

AT&T's existing Lifeline customers would have getting service from another ETC also reflect the difficulty of AT&T's non-Lifeline customers receiving Lifeline service in the future if an ETC is similarly not available.

### **C. Overview of the Company's operating territory**

**Q: Please describe generally your understanding of the Company's operations in California.**

A: AT&T serves customers in more than 600 wire centers in California. Exhibit SMB-1 shows AT&T's service territory in California. AT&T California is part of a company with \$120 billion in annual revenues,<sup>16</sup> and has a ubiquitous legacy network built over decades with virtually risk-free revenues from monopoly ratepayers. Although other companies have entered local markets in California, no other company possesses the ubiquitous network that AT&T possesses,<sup>17</sup> nor has any other company demonstrated the longevity in the market that AT&T has.

**Q: Please explain the significance of a wire center.**

A: A wire center is the location of a local switching facility containing one or more central offices, which are used to provide telephone exchange services (and dedicated lines). The wire center boundaries define the area in which all customers served by a given wire center are located. A central office connects a customer to AT&T's switch and also

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<sup>16</sup> <https://www.sec.gov/Archives/edgar/data/732717/000073271723000011/t-20221231.htm> (Annual Report for 2022). <https://about.att.com/story/2023/q4-earnings-2022.html>.

<sup>17</sup> See, e.g., "California ILEC Exchange Areas." chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://webproda.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/high-cost-support-and-surcharges/chcf-a-1/ilec-territories-2023\_230412.pdf.

1 provides the equipment by which one central office line is switched to another. More  
2 than one central office may be located in the same building.

3 **Q: What is an exchange?**

4 A: AT&T's tariff defines and identifies all of the exchanges that it serves. AT&T's tariff  
5 defines an exchange as: "A telephone system providing service within a specified area  
6 within which communications are considered exchange messages, except those messages,  
7 between toll points," and defines an exchange area as: "An area within which the  
8 Company holds itself out to render exchange telephone service from one or more central  
9 offices serving that area."<sup>18</sup> An exchange includes one or more wire centers.

10 **Q: How do wire center areas relate to census blocks?**

11 A: A single wire center can consist of many census blocks. By way of illustration, Exhibit  
12 SMB-2 shows one of AT&T's wire centers, the associated census blocks, the total  
13 number of associated census blocks, and the population served by the wire center. Wire  
14 centers vary significantly in square miles encompassed as well as in the numbers of  
15 customers served, including, for example a wire center that serves fewer than 20 people;  
16 a wire center that serves more than 280,000 people; a wire center that covers three  
17 Census Blocks; and a wire center that covers 2,895 Census Blocks.<sup>19</sup>

18  
19 Although AT&T can serve all customers within its wire center area, the fact that an ETC  
20 may serve *some* customers in AT&T's wire center area does not mean that the ETC has

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<sup>18</sup> AT&T California SCHEDULE CAL.P.U.C. NO. A2, 2nd Revised Sheet 11 NETWORK AND EXCHANGE SERVICES.

<sup>19</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6).

- 1 the ability to serve *all* customers in that wire center area nor does it demonstrate that the
- 2 ETC can ensure that it will have such an ability.

### III. OVERVIEW OF AT&T'S APPLICATION

**Q: Earlier, you stated that AT&T considers Attachments A and B to its May 23<sup>rd</sup> Response to the Motion To Dismiss of The Utility Reform Network and Center for Accessible Technology (“AT&T Response to Motion to Dismiss”) to be among the parts of its opening testimony. Please describe generally these two attachments.**

A: Attachment A to AT&T's Response to Motion to Dismiss indicates the wire center, exchange, Census-defined community, and county for each census block in AT&T's service territory. Attachment B to AT&T's Response to Motion to Dismiss identifies census blocks that fall into fire-threat zones, floodplains, areas that are prone to other natural disasters, or are a part of a Disadvantaged Community.<sup>20</sup>

**Q: Did TURN seek additional information about the demographics of the census blocks?**

A: Yes. In TURN 2-5, TURN requested that AT&T “identify any census block in spreadsheet labeled “ATTCA-CPUC-ETC00001327” that meets the CPUC’s definition of Environmental and Social Justice Communities.”<sup>21</sup> AT&T provided a detailed attachment, which it describes as follows (cites omitted):

Attachment 5.1 consists of two tabs of output plus two tabs of underlying data. The tab titled “Table” identifies in Column A each census block in the spreadsheet labeled “ATTCA-CPUC-ETC00001327.” For each such

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<sup>20</sup> “Disadvantaged Communities (defined pursuant to CalEnviroScreen 4.0 as census tracts that score in the top 25% of CalEnviroScreen 4.0, those that score within the highest 5% of CalEnviroScreen 4.0's Pollution Burden but do not receive an overall CalEnviroScreen score, census tracts identified as Disadvantaged Communities in CalEnviroScreen 3.0, and areas under the control of federally recognized Tribes.” <https://www.cpuc.ca.gov/ESJactionplan/>.

<sup>21</sup> See Commission website for complete description of ESJ communities. <https://www.cpuc.ca.gov/ESJactionplan/>.

census block, Column B identifies the census tract in which it is located; Column C identifies the county in which it is located; Column D identifies the population; Column E indicates whether it overlaps with a Disadvantaged Community as defined by SB 535; Column F provides the percentage of the census block that overlaps with a Disadvantaged Community; Column H indicates whether it overlaps with tribal lands as identified using the Census TIGER Tribal Block Group national shapefiles; Column I provides the percentage of the census block that overlaps with tribal lands as identified using the Census TIGER Tribal Block Group national shapefiles; Column J provides the household median income for the census tract where the census block is located; Column K provides the household median income for California; Column L has a flag taking the value “Y” for census blocks for which the household median income for the census tract (Column J) is less than or equal to 80 percent of the household median income for California (Column K); Column M provides the household median income for the county where the census block is located; and Column N has a flag taking the value “Y” for census blocks for which the household median income for the census tract (Column J) is less than or equal to 80 percent of the household median income for the county (Column M). The tab titled “Sources” provides definitions and sources for the columns in the tab titled “Table.”<sup>22</sup>

**Q: Please summarize your general understanding of AT&T’s opening testimony.**

A: In addition to Attachments A and B to AT&T’s Response to Motion to Dismiss, AT&T considers these portions of its Application as part of its opening testimony: Sections I.A and I.B; Section III; and Attachments 1-6.<sup>23</sup> The two referenced subsections in Section I discuss the ETC areas for which AT&T seeks to relinquish its ETC status. Section III includes additional data that AT&T contends supports its Application.<sup>24</sup>

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<sup>22</sup> AT&T’s response to TURN 2-5, and Attachment 5.1, which are reproduced as Exhibit SMB-3.

<sup>23</sup> AT&T October 26 Email.

<sup>24</sup> Section I.C, which is not identified in AT&T’s designation of its opening testimony, discusses AT&T’s rationale for considering as part of its ETC analysis, wireless ETCs that are facilities-based as well as those wireless ETCs that are resellers. ATTCA-CPUC-ETC00002023 through 2026 (AT&T Supplemental Application, pages 8-11). Section II includes AT&T’s discussion of its interpretation of the Administrative Law Judge’s reference to potential and existing customers as well as AT&T’s position regarding the universe of customers that are germane to this proceeding. ATTCA-CPUC-ETC00002026 through ATTCA-CPUC-ETC00002028 (AT&T Supplemental Application, pages 11-13).

1 **Q: Please identify AT&T's attachments to its Supplemental Application.**

2 A: AT&T's Supplemental Application includes six attachments:

- 3 • Attachment 1 is entitled "Information About ETCs Serving AT&T California's  
4 Service Territory";
- 5 • Attachment 2 updates Attachment A to the Original Application ("ETCs  
6 Designated in AT&T California Service Territory");
- 7 • Attachment 3 updates Attachment A to AT&T's Reply to Protest ("ETCs  
8 Designated in AT&T California Service Territory: 50%+ Census Block Overlap  
9 and 50%+ Population Coverage");
- 10 • Attachment 4 updates Attachment B to AT&T's Reply to Protest ("ETCs  
11 Designated in AT&T California Service Territory: 90%+ Census Block Overlap  
12 and 90%+ Population Coverage");
- 13 • Attachment 5 updates Attachment C to AT&T's response to the Motion to  
14 Dismiss ("ETCs Designated in AT&T California Service Territory by Census  
15 Block (ETC Lookup Table)"); and
- 16 • Attachment 6 updates Attachment D to AT&T's response to the Motion to  
17 Dismiss ("AT&T Lifeline Customer Counts by Census Block in AT&T  
18 California Service Territory").  
19

20 **Q: Please identify the ETCs upon which AT&T now relies in support of its Application.**

21 A: AT&T relies on twelve wireless carriers (see Section III.D, below, for a list of those  
22 carriers), three cable companies (Consolidated Communications Enterprise Services, Inc.  
23 (fka SureWest TeleVideo dba SureWest Broadband); Cox California Telecom, LLC and  
24 Time Warner Cable Inc.) and one AT&T wireline reseller (Connect To Communications)  
25 in support of its Application.<sup>25</sup>

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<sup>25</sup> AT&T Supplemental Application, Attachment 2. AT&T explains that Attachment 2 is an "[u]pdate to Attachment A to the Applications, which lists ETCs designated in each wire center in AT&T California's service territory." Supplemental Application, page 14. Attachment A to AT&T's Original Application included Blue Jay Wireless, LLC on its list of ETCs; Attachment 2 to AT&T's Supplemental Application omits Blue Jay Wireless, LLC. In its October 23<sup>rd</sup> Email, AT&T modified its application to remove Blue Casa Telephone, LLC. (In Attachment 1 to AT&T's Supplemental Application, AT&T also includes Cal.net, Inc. and California Internet, L.P. (dba GeoLinks). See Supplemental Application, page 13, for AT&T's explanation of Attachment 1.)

1 **Q: Does the analysis in AT&T's Supplemental Application include ETC service areas**  
2 **that have been designated in connection with the FCC awards of RDOF support?**

3 A: No. AT&T states that "[t]o be conservative, AT&T California has removed them from  
4 the ETC Analysis in the Updated Charts," but also states that it "reserves the right to  
5 reinclude the RDOF ETCs later in the proceeding as they continue to build out their  
6 coverage."<sup>26</sup>

7 **Q: AT&T's Supplemental Application reflects, among other things, the Commission's**  
8 **revocation of Blue Jay Wireless's operating authority.<sup>27</sup> What, in your view, is the**  
9 **significance of Blue Jay Wireless's exit from the market?**

10 A: In its Original Application, AT&T relied on the Commission's grant of ETC status to  
11 Blue Jay Wireless and the service territory listed in that ETC designation to assert that  
12 Blue Jay Wireless was an alternative ETC that could provide services to AT&T's  
13 customers. However, in April 2023, the Commission revoked Blue Jay Wireless's  
14 authority to operate as a provider in California; the draft resolution of this revocation was  
15 available in March 2023. To date, the Commission's website has not yet been updated  
16 and still shows Blue Jay Wireless as an ETC.

17  
18 AT&T's reliance on the Commission's website is not sufficient to demonstrate the  
19 availability of other ETCs because the Commission's website may not be up to date.

20 AT&T's Original and Supplemental Applications fail to demonstrate that AT&T has  
21 taken any action to confirm the actual presence of the ETCs it purports are available to

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<sup>26</sup> Supplemental Application, page 14, including footnote 52 (ATTCA-CPUC-ETC00002029).

<sup>27</sup> Supplemental Application, page 14 (ATTCA-CPUC-ETC00002029), citing Cal. Pub. Utils. Comm'n Resol. T-17784, at A-1 (Apr. 27, 2023).



1           serve its customers. Also, Blue Jay's exit from the market is evidence of the  
2           precariousness of wireless resellers. Wireless resellers' presence in the market may not  
3           necessarily be long-lived.

## IV. ANALYSIS OF AT&T'S APPLICATION

### A. Overview

**Q: Please explain how you have organized this section of your testimony.**

A: This section of my testimony summarizes my analyses of AT&T's Application. First I discuss generally the universe of Lifeline customers that AT&T serves. Then I discuss AT&T's representations as to ETCs' coverage of the areas where AT&T seeks to be relieved of its ETC territory. Next, I analyze each of the alternatives that AT&T purports to demonstrate availability to its customers, and show that they are insufficient to warrant granting AT&T's Application. Specifically, I analyze wireless services, wireline services offered by cable companies, and wireline services offered by resellers.

### B. AT&T's Lifeline customers

**Q: How many Lifeline customers does AT&T serve?**

A: As of October 2023, AT&T served 102,768 Lifeline subscribers.<sup>28</sup> As of July 2023, AT&T served 107,375 total Lifeline customers, of which 13,807 were eligible only for the California LifeLine Program, and 93,568 were eligible for the federal Lifeline and the California LifeLine Program.<sup>29</sup>

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<sup>28</sup> California LifeLine Related Forms and Notices For Carriers, <https://www.cpuc.ca.gov/lifeline-related-forms-and-notices-for-carriers>, site visited November 20, 2023.

<sup>29</sup> AT&T Response to TURN 2-8, and Attachment 8.1, which are reproduced as Exhibit SMB-4.

1   **Q:     Where are AT&T’s Lifeline customers located?**

2   A:     Exhibit SMB-5 demonstrates that AT&T’s Lifeline customers are located throughout  
3           AT&T’s service territory.<sup>30</sup> Granting AT&T’s Application could harm all of AT&T’s  
4           customers throughout AT&T’s service territory.

5   **Q:     Is the group of Lifeline customers a static group?**

6   A:     No. Household incomes rise and fall and so households lose and acquire eligibility for  
7           the Lifeline Program. Also, people move and so the locations of Lifeline customers  
8           captured in the snapshot accompanying AT&T’s Application are not necessarily  
9           representative of their locations next month or next year.

10  **Q:     In Section II of AT&T’s Supplemental Application, AT&T asserts that Section**  
11           **214(e)(4) requires the Commission to evaluate AT&T’s Application solely with**  
12           **regard to *existing* Lifeline customers.<sup>31</sup> Why then do you raise the issue of volatility**  
13           **in the universe of Lifeline customers?**

14  A:     In my view, AT&T’s interpretation of the Commission’s authority is unduly narrow for  
15           two distinct reasons. First, I read 214(e)(4) to require that “*all* customers served” by  
16           AT&T—regardless of whether those customers are currently receiving Lifeline—must be  
17           able to be served by another ETC before the Commission can approve AT&T’s  
18           relinquishment of its ETC status. This is the plain language reading of 214(e)(4).

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<sup>30</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329, which is reproduced as Exhibit SMB-6. Data are as of December 2022. *Id.*

<sup>31</sup> ATTCA-CPUC-ETC00002026 through ATTCA-CPUC-ETC00002028 (AT&T Supplemental Application, pages 11-13). See ATTCA-CPUC-ETC00002027(AT&T Supplemental Application, page 12), cite omitted, stating: “In the context of Section 214(e)(4), the relevant pool of existing customers for the Commission’s analysis must mean AT&T California’s existing federal Lifeline customers because only they could be affected by the ETC relinquishment.” AT&T indicates that it will continue participating in the state LifeLine program, which does not require an ETC designation, “so long as it offers basic service.” *Id.*, footnote 43.

1 Second, it is my position that the Commission must consider the effect on *all* AT&T's  
2 customers – regardless of whether they are currently receiving Lifeline – because the  
3 group of Lifeline customers is not static. An AT&T customer may be eligible for  
4 Lifeline benefits one year and not the next, and vice versa.

5  
6 If the Commission allows AT&T to relinquish its ETC status using AT&T's narrow  
7 interpretation of 214, consumers may be harmed. For example, after the relinquishment,  
8 a non-Lifeline AT&T customer who is later eligible to receive Lifeline would not be able  
9 to receive Lifeline from AT&T. This is because AT&T relinquished its ETC and its  
10 service would no longer be available. More importantly, an alternative ETC provider  
11 may not be available from whom to receive Lifeline because that customer was not  
12 included in the calculus of which customers must have another ETC available before  
13 AT&T relinquishes its ETC. It is my expert opinion that such an outcome is not in the  
14 public interest and the Commission should reject AT&T's narrow interpretation to avoid  
15 such an outcome.

16 **Q: What is the implication of the fact that Lifeline customers do not constitute a static**  
17 **group?**

18 A: The fluctuating characteristic of the Lifeline population (gaining and losing eligibility;  
19 and moving from one community to another) underscores the importance of viewing  
20 AT&T's Application carefully, and, in the case of ambiguity, erring on the side of  
21 preventing harm to Lifeline customers. I am unaware of any assertions of burden to  
22 AT&T associated with its ETC status. In sharp contrast, the harm to consumers – losing  
23 reliable access to 9-1-1 services, etc. – is clear.

1 **C. AT&T's representations of ETCs' service areas**  
2

3 **Q: AT&T asserts that it has shown that “at least one ETC serves each wire center in its**  
4 **service territory.”<sup>32</sup> Please address this assertion.**

5 A: Wire centers encompass a range of areas, from less than a half of a square mile, to more  
6 than 700 square miles.<sup>33</sup> The key question is not whether an ETC is present *somewhere*  
7 in each of the areas served by AT&T's 613 wire centers,<sup>34</sup> but rather whether *all* of  
8 AT&T's customers will continue to be served and whether the remaining ETCs are  
9 capable of ensuring such service, even if they need to purchase or construct additional  
10 facilities to do so. As I demonstrate below, the presence of an ETC somewhere in a wire  
11 center does not necessarily correspond with customers, including all LifeLine customers,  
12 having alternatives to AT&T's service.

13 **Q: Please provide your understanding of Attachments 3 and 4 to AT&T's**  
14 **Supplemental Application.**

15 A: Attachment 3 (“ETCs Designated in AT&T California Service Territory: 50%+ Census  
16 Block Overlap and 50%+ Population Coverage”) groups AT&T's wire centers by the  
17 number of ETCs that it contends serve the wire center, and separately for each such  
18 grouping shows the numbers of wire centers in that category; the percentage of total wire  
19 centers that the grouping represents; and the percentage of population associated with that

---

<sup>32</sup> ATTCA-CPUC-ETC00002017 (AT&T Supplemental Application, page 2).

<sup>33</sup> AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (Confidential Exhibit SMB-7).

<sup>34</sup> AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (ETC Exhibit D) (Exhibit SMB-6).

1 grouping (with the population corresponding to total population in AT&T's service  
2 territory).

3  
4 For example, according to AT&T's Attachment 3, in the category of wire centers with  
5 14 ETCs present, there are 419 wire centers, which represent 68.02% of all AT&T wire  
6 centers and which account for 16,715,441 people, or 56.46% of the population in  
7 AT&T's service territory. For the analysis in Attachment 3, a census block is considered  
8 covered by an ETC's footprint if at least 50% of the area is covered by that ETC's  
9 footprint; and the ETCs are present in census blocks that account for at least 50% of the  
10 population in the census blocks within each wire center.

11  
12 Attachment 4 ("ETCs Designated in AT&T California Service Territory: 90%+ Census  
13 Block Overlap and 90%+ Population Coverage") is similar to Attachment 3, except that a  
14 census block is considered covered by an ETC's footprint if at least 90% (rather than  
15 50%) of the area is covered by that ETC's footprint; and the ETCs are present in census  
16 blocks that account for at least 90% of the population in the census blocks within each  
17 wire center.

1 **Q: Do either of the two attachments demonstrate that AT&T meets the criterion of**  
2 **demonstrating that ETCs are prepared to offer service to all of AT&T's California**  
3 **customers?**

4 A: No. Attachments 3 and 4 fail to demonstrate that other ETCs are prepared to offer service  
5 to AT&T's California Lifeline customers. The two attachments reflect, at best, partial  
6 coverage and therefore are not instructive to the Commission's deliberations.

7 **Q: Please provide your understanding of Attachment 5 to AT&T's Supplemental**  
8 **Application.**

9 A: Attachment 5 updates Attachment C to AT&T's response to the Motion to Dismiss  
10 ("ETCs Designated in AT&T California Service Territory by Census Block (ETC  
11 Lookup Table)"). Attachment 5 purports to show which ETCs serve each of the Census  
12 Blocks that are within the AT&T service area. These results derive from AT&T's  
13 mapping of ETC service areas, which it describes in Responses to TURN's second set of  
14 interrogatories.

15 **Q: Please provide your understanding of how AT&T determined ETC service areas.**

16 A: AT&T asserts that it has accounted for "each ETC's actual service area instead of  
17 assuming maximal coverage."<sup>35</sup> Specifically, AT&T relied on the Commission's  
18 resolutions, decisions and Advice Letters to determine ETCs' service areas.<sup>36</sup> AT&T also  
19 used the Commission's Fixed and Mobile Broadband maps to overlay ETC coverage on  
20 top of AT&T's service territory, with the exception of the Commission's maps for Time

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<sup>35</sup> ATTCA-CPUC-ETC00002018 (AT&T Supplemental Application, page 3).

<sup>36</sup> ATTCA-CPUC-ETC00002018-ATTCA-CPUC-ETC00002020 (AT&T Supplemental Application, pages 3-5).

Warner Cable Information Services, LLC (“TWCIS”), which now is part of Charter (d/b/a Spectrum). Instead, AT&T relied on the FCC’s June 2016 Form 477 data to determine the TWCIS footprint.<sup>37</sup>

**Q: Did TURN seek an explanation from AT&T as to how it determined whether an ETC serves particular census blocks?**

**A:** Yes. TURN’s Data Request No. 2-2 asks:

In response to TURN’s DR 1-2, AT&T California listed ETCs in Exhibit C, spreadsheet labeled “ATTCA-CPUC-ETC00001328”; please provide (a) all assumptions relied upon, (b) methods used, and (c) sources used by AT&T California in order to determine that a given ETC provides service to a Census Block as shown in spreadsheet labeled “ATTCA-CPUC-ETC00001328.”

**Q: How did AT&T respond?**

**A:** AT&T responded (footnote omitted):

The assumptions relied upon, methods used, and sources used by AT&T California to determine that a given ETC provides service to a Census Block as shown in spreadsheet labeled “ATTCA-CPUC-ETC00001328” may be found:

- At a summary level of detail in Sections I.A and I.B of *Pacific Bell Telephone Company d/b/a AT&T California’s (U 1001 C) Response to the Administrative Law Judge’s Ruling Requiring Additional Information* (Aug. 24, 2023) (“Updated Application”) (produced as ATTCA-CPUC-ETC00002011 – ATTCA-CPUCETC00002031);
- In Attachment 1 to the Updated Application (produced as ATTCA-CPUCETC00002032 – ATTCA-CPUC-ETC00002128) and a technical appendix (produced as ATTCA-CPUC-ETC00001346 – ATTCA-CPUC-ETC00001353) (“Technical Appendix”). For each ETC, Attachment 1 identifies, among other information, (a) the Commission resolution(s) or decision(s) designating it as an ETC, (b) its designated ETC service area, (c) the service obligation to which it committed, (d) any post-designation advice letters

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<sup>37</sup> ATTCA-CPUC-ETC00002020 (AT&T Supplemental Application, page 5).



1 affecting the designated ETC service area, and (e) maps depicting  
2 the ETC's service area, as described in Updated Application  
3 Section I.B and the Technical Appendix, against AT&T  
4 California's service territory, as described in Updated Application  
5 Section I.A and the technical appendix. The Technical Appendix  
6 describes the data sources used and the specific steps taken by  
7 Compass Lexecon to identify the coverage of the ETCs designated  
8 within AT&T California's service territory; and

- 9 • In the workpapers of Compass Lexecon for the Updated  
10 Application (produced as ATTCA-CPUC-ETC00001343 –  
11 ATTCA-CPUC-ETC00002010). In addition to the Technical  
12 Appendix, the workpapers contain all the input, intermediate, and  
13 output files from Compass Lexecon's analysis

14  
15 With respect to the instruction, **“For any questions requesting numerical**  
16 **recorded data, please provide all responses in working Excel**  
17 **spreadsheet format, with cells and formulae functioning.”** Compass  
18 Lexecon did not use Excel for its analysis, except to the extent certain  
19 inputs were received in Excel format and certain outputs were presented in  
20 Excel format to display Compass Lexecon's findings. Excel is not  
21 designed to process geographical information system (“GIS”) mapping  
22 data used in the analysis of alternative ETCs. In addition, many of the files  
23 in Compass Lexecon's workpapers are too large to be processed in Excel.  
24 Other standard software packages, including the software Compass  
25 Lexecon used, which AT&T California identified in response to TURN  
26 DR 001-3, can process GIS information and Compass Lexecon's  
27 workpapers. Certain of the workpapers, including some of the outputs of  
28 some of Compass Lexecon's analyses and certain input files, are in Excel  
29 spreadsheet format, and AT&T California is producing those workpapers  
30 in Excel spreadsheet format. As Compass Lexecon did not use Excel to  
31 perform its analyses, however, AT&T California is producing Compass  
32 Lexecon's remaining workpapers in the format in which Compass  
33 Lexecon obtained them or in the same native format as Compass Lexecon  
34 used for its analyses with the software identified in response to TURN DR  
35 001-3. For the most part, either those remaining workpapers cannot be  
36 converted into Excel spreadsheet format at all, or automated conversion of  
37 them into Excel spreadsheet format would not preserve functioning  
38 formulae, coding, and other processes.  
39

40 **Q: Please provide a general description of these documents in layman's terms.**

41 A: The documents comprise the workpapers necessary to create the exhibits that AT&T  
42 relies upon purportedly to show where ETCs can provide service. In simple terms,

1 AT&T uses the resolutions for each ETC to determine what networks (e.g. AT&T  
2 Wireless, T-Mobile, Verizon Wireless) the resellers use, and makes adjustments for any  
3 slight changes found in the resolution, such as the exclusion of tribal lands. AT&T then  
4 adjusts the footprint of the underlying network according to the resolution and refers to  
5 this as the reseller's ETC network. AT&T then assigns the ETC to a Census Block if the  
6 ETC's derived service territory intersects the census block. It is notable that, according  
7 to AT&T, several wireless ETCs (e.g., Assurance, Global Connect, and i-wireless) have  
8 the *same footprint* because they piggyback on the same networks (here, the T-Mobile  
9 network).<sup>38</sup>

10 **Q: Please describe your review of the documents and work papers that AT&T provided**  
11 **in response to TURN 2-2.**

12 A: I excerpt the narrative portion of AT&T's response above. Among other things, AT&T  
13 explains that for each ETC, AT&T relied on, "among other information":

14  
15 (a) the Commission resolution(s) or decision(s) designating it as an ETC,  
16 (b) its designated ETC service area,  
17 (c) the service obligation to which it committed,  
18 (d) any post-designation advice letters affecting the designated ETC service area,  
19 and  
20 (e) maps depicting the ETC's service area, as described in Updated Application  
21 Section I.B and the Technical Appendix, against AT&T California's service  
22 territory, as described in Updated Application Section I.A and the technical  
23 appendix. The Technical Appendix describes the data sources used and the  
24 specific steps taken by Compass Lexecon to identify the coverage of the ETCs  
25 designated within AT&T California's service territory.  
26

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<sup>38</sup> AT&T Supplemental Application, Attachment 1.

1 **Q: Please describe generally the hundreds of individual files that AT&T provided in**  
2 **response to TURN 2-2.**

3 A: AT&T includes with its response to TURN 2-2 many files that are essentially pieces of  
4 the geodatabase that AT&T used to generate maps of its representations as to ETCs'  
5 coverage areas. These files – hundreds of them – although collectively necessary to  
6 reproduce AT&T's process of creating coverage maps to generate maps, are individually  
7 meaningless. I relied, in part, on AT&T's files that depict wire center boundaries to  
8 create the maps that I include in my exhibits.<sup>39</sup>

9 **Q: One of the sources of information upon which AT&T relies to support its**  
10 **Application is the original filing by an ETC with the Commission describing its**  
11 **service area. Please comment on this source of information.**

12 A: The Commission's resolutions granting ETC status to carriers only provide preliminary  
13 information about those providers' service territories. Those areas within service  
14 territories where service is actually available can change over time. As I demonstrate by  
15 example later in my testimony, the ETCs identified by AT&T do not necessarily offer  
16 supported services throughout their service areas.

17 **Q: Please elaborate.**

18 A: Companies exit the market or discontinue their ETC status, as is demonstrated by Blue  
19 Casa and Blue Jay Wireless. Also, although an ETC may serve some part of a wire  
20 center, the ETC does not necessarily serve the entire wire center area. Ultimately the  
21 relevant question is whether a consumer can actually subscribe to an alternative ETC's

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<sup>39</sup> Confidential Exhibit SMB-7 includes a link to the confidential attachment to AT&T's response to TURN 1-4, which provides the shape files for AT&T's wire centers. AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (files with wire center boundaries).

1 service. As I demonstrate throughout my testimony, the mere fact that an ETC's  
2 application shows the boundaries of a certain service area does not mean that a consumer  
3 can actually get reliable voice service from that ETC.

4  
5 **D. Wireless service is not as available as AT&T's Application implies.**  
6

7 **Q: Please describe your understanding of AT&T's reliance on wireless carriers'**  
8 **services to justify its Application.**

9 A: To support its Application, AT&T cites the presence of twelve wireless carriers: Air  
10 Voice Wireless, LLC; American Broadband and Telecommunication Company (dba  
11 Your Call Wireless); AmeriMex Communications Corp (dba SafetyNet Wireless);  
12 Assurance Wireless USA, L.P. (dba Assurance Wireless; fka Virgin Mobile USA, L.P.);  
13 Boomerang Wireless; Global Connection, Inc. of America (dba Stand Up Wireless); i-  
14 Wireless LLC (dba Access Wireless); IM Telecom, LLC (dba Infiniti Mobile); TAG  
15 Mobile, LLC; Telrite Corp (dba Life Wireless); Tracfone Wireless, Inc. (dba SafeLink;  
16 Total Wireless; Straight Talk Wireless; Net10 Wireless; Page Plus; Simple Mobile; Go  
17 Smart); and TruConnect Communications, Inc. (dba Surelink Mobile; fka Telscape  
18 Communications, Inc.).<sup>40</sup>

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<sup>40</sup> AT&T Supplemental Application, Attachment 2 (ATTCA-CPUC-ETC00002033), which AT&T identifies as its "Update to Attachment A to the Application." ATTCA-CPUC-ETC00002012. See also AT&T Supplemental Application, Attachment 1, which AT&T describes as "Information About ETCs Serving AT&T California's Service Territory). ATTCA-CPUC-ETC00002012. Both attachments include Blue Casa; the ETCs identified in Attachments 1 and 2 to AT&T Supplemental Application are identical except that Attachment 1 also includes Cal.net, Inc. ("Cal.Net") and California Internet, L.P. (dba GeoLinks) ("GeoLinks"). AT&T shows that Cal.Net was designated as an ETC on January 19, 2019, and does not serve any Lifeline customers. AT&T Supplemental Application, Attachment 1, p. 31 (ATTCA-CPUC-ETC00002064). AT&T shows that GeoLinks was designated as an ETC on February 21, 2019,

1 **Q: Despite the presence of these many wireless carriers, do Lifeline customers**  
2 **nonetheless rely on AT&T's wireline service?**

3 A: Yes. AT&T California is the largest wireline Lifeline provider in California by  
4 subscribership, serving two-thirds of all wireline Lifeline subscribers throughout the  
5 state.<sup>41</sup> If one excludes carriers that do not serve AT&T's service territory (e.g., Frontier)  
6 as well as Blue Casa (which is exiting the market), there are 110,968 Lifeline customers  
7 in AT&T's service territory that rely on wireline service, with AT&T serving  
8 approximately 93% of these wireline customers.<sup>42</sup>

9 **Q: Do you agree with AT&T that the presence of these wireless-based ETCs**  
10 **nonetheless provide AT&T's Lifeline customers with an alternative?**

11 A: No. It is entirely possible that AT&T's approximate 100,000 Lifeline customers<sup>43</sup>  
12 include customers who lack reliable wireless options. The fact that, despite cord-cutting  
13 trends, these customers continue to rely on AT&T's wireline service is consistent with a  
14 finding that some or many of these customers do not have a reliable alternative to  
15 AT&T's wireline service.<sup>44</sup>

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and does not serve any Lifeline customers. AT&T Supplemental Application, Attachment 1, p. 31 (ATTCA-CPUC-ETC00002069).

<sup>41</sup> California LifeLine Related Forms and Notices For Carriers, <https://www.cpuc.ca.gov/lifeline-related-forms-and-notices-for-carriers>, site visited November 20, 2023. As of October 2023, AT&T served 102,768 Lifeline subscribers; in total 155,742 Lifeline customers were served by wireline carriers. *Id.*

<sup>42</sup> California LifeLine Related Forms and Notices For Carriers, <https://www.cpuc.ca.gov/lifeline-related-forms-and-notices-for-carriers>, site visited November 20, 2023. The list of wireline carriers offering service statewide is compared with the list of carriers shown in Attachment 2 to AT&T's Supplemental Application.

<sup>43</sup> AT&T serves 107,375 total Lifeline customers, of which 13,807 are eligible only for the California LifeLine Program, and 93,568 are eligible for the federal Lifeline and the California LifeLine Program. AT&T Response to TURN 2-8, and Attachment 8.1, reproduced as Exhibit SMB-4.

<sup>44</sup> Also, the adoption of high-speed internet access (which provides the platform that three ETCs use to offer VoIP service) in the home tracks income. As income declines, so too does the likelihood that a household subscribes to internet access. *Pew Research Center 2021 Internet/Broadband Fact Sheet* available at <https://www.pewresearch.org/internet/fact-sheet/internet-broadband/>.

1   **Q:     Please explain why wireless service may not be reliable?**

2   A:     Physical barriers, building materials, weather, and lack of cell towers are among the  
3           reasons that households may not have the option to rely on wireless service for a voice  
4           connection, as I discuss below with reference to consumers' statements during the service  
5           quality public participation hearings. For example, the following excerpt includes an  
6           explanation for poor coverage that Verizon Wireless provides on its website:

7           Although Verizon has the largest, most reliable network in the country,  
8           there are external factors that can negatively impact your experience,  
9           causing issues such as slow data speeds, dropped calls or other audio  
10          issues.

11          These external factors include:

12                 Network congestion

13                 Weather and nature

14                 Buildings and physical barriers

15                 Or an obstructed view of the cell tower

16                 ...

17          Severe weather and seasonal conditions like heavy snow, storms or even  
18          trees in bloom can also affect your coverage.

19                 These seasonal changes can make it harder for the radio signal to  
20                 reach you.

21          Physical barriers such as mountains, hills and buildings may also block the  
22          signal.

23          In addition, building materials like metal panels, concrete walls or certain  
24          types of glass can absorb or reflect signal.

25          This is why your experience may be impacted in basements or other  
26          interior rooms, or large buildings such as hospitals with large amounts of  
27          electronics.

28          Performance issues can also occur when your device doesn't have an  
29          unobstructed view of the cell site. This could be because you are too high,  
30          too low, too far or even too close to the tower.<sup>45</sup>

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<sup>45</sup> Factors That Impact Your Wireless Signal | Verizon,  
<https://www.verizon.com/support/troubleshooting-wireless-signal-coverage-video/>, site visited November  
26, 2023. See also, 11 Major Building Materials That Kill Your Cell Phone Reception,

1   **Q:     Have you examined low-income customers’ relative preference for wireless versus**  
2       **wireline service?**

3   A:     Yes. Generally, low-income customers have shown a preference for wireless service  
4       (likely because they cannot afford both wireless and wireline service).<sup>46</sup> The most recent  
5       data from the National Center for Health Statistics show that low-income households are  
6       more likely to rely solely on wireless service than are households of other incomes.<sup>47</sup> Yet  
7       *despite this trend*, the more than 100,000 households that rely on AT&T’s wireline  
8       service have *not chosen* wireless service.<sup>48</sup> Therefore, one reasonable inference from the  
9       fact that more than 100,000 low-income households continue to rely on AT&T’s wireline  
10      service is that wireless offerings are distinctly inferior to wireline offerings in the  
11      communities where Lifeline customers reside (or that wireless offerings cannot be relied  
12      upon for use with medical devices). Wireless coverage maps are simply best guesses and

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<https://www.wilsonamplifiers.com/blog/11-major-building-materials-that-kill-your-cell-phone-reception/>  
(wilsonamplifiers.com); Reasons Why Your Office Has Poor Cell Reception (coruzant.com),  
<https://coruzant.com/mobile/reasons-why-your-office-has-poor-cell-reception/>.

<sup>46</sup> Also, in California, wireline Lifeline service requires subscribers to pay a monthly co-payment. For example, AT&T’s current co-payment is “\$10.48 for most exchanges.” AT&T, LifeLine, California LifeLine, <https://www.att.com/home-phone/lifeline/california/>, site visited November 28, 2023. By comparison, there is no co-payment for wireless service. See, CPUC, California LifeLine Program Assessment, dated May 20, 2022, available at <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M478/K367/478367564.PDF>, at 17 (noting no copayment for wireless California LifeLine Plans, but co-payments of generally \$5 - \$10 for wireline voice-only California LifeLine Plans).

<sup>47</sup> “Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July-December 2022,” Stephen J. Blumberg, Ph.D., and Julian V. Luke, Division of Health Interview Statistics, National Center for Health Statistics, released May 2023, <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202305.pdf>, at 3 stating: “Adults with family incomes below the federal poverty threshold (77.8%) and adults with family incomes of 100% to less than 200% of the federal poverty threshold (74.9%) were more likely than adults with higher family incomes (70.8%) to be wireless-only.” Also “More than four in five adults living in rented homes (85.3%) were wireless only. This percentage is higher than the percentage for adults living in homes owned by a household member (66.2%).” *Id.*, at 3. See also *id.*, Table 2, pages 5-6.

<sup>48</sup> The FCC has repeatedly refrained from eliminating federal Lifeline support for voice service because there are a significant number of Lifeline customers that rely on wireline services.

1 are not as valuable as a source of information about wireless reliability as are consumers'  
2 actual experiences.

3 **Q: Did you review any information about consumers' first-hand experiences with**  
4 **wireless service?**

5 A: Yes. Numerous consumers in the service quality public participation hearings explained  
6 that reliable wireless service is not ubiquitous. Also, even where wireless service may  
7 theoretically be available, it is not always reliable. I include as Exhibit SMB-8 to my  
8 testimony excerpts from transcripts from the service quality public participation hearings.  
9 These excerpts are intended to be illustrative and do not represent the entirety of  
10 consumers' comments regarding their first-hand experiences with wireless service. I  
11 recommend that the Commission, when considering AT&T's reliance on twelve wireless  
12 ETCs to support its Application, take into account the fact that AT&T has failed to  
13 demonstrate that all of its customers can actually get reliable (or any) wireless service in  
14 their homes.

15 **Q: Have you compiled some quotes from consumers made during the public**  
16 **participation hearings in the service quality proceeding?**

17 A: Yes. The following include examples of consumers' first-hand encounters with  
18 unreliable or non-existent wireless service:

- 19 • "[T]he cell signals are very weak in my neighborhood."<sup>49</sup>
- 20 • "We have numerous power outages, frequent power outages. In February, my power  
21 was out for three days. And the corded landline phone I'm using now with this  
22 beautiful connection is the only way I had connection. It lasted long after my  
23 cellphone battery died and my internet connection was gone and my laptop battery  
24 died. The corded landline phones are really a lifesaver."<sup>50</sup>

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<sup>49</sup> Tr. April 18, 2023, Volume 3, p. 335, ll. 13-14 (included with Exhibit SMB-8).

<sup>50</sup> Tr. April 18, 2023, Volume 3, p. 342, ll. 6-14 (included with Exhibit SMB-8).



- 1 • “I have lived in the city for, like, 27 years. ... So for about three years now, I have
- 2 had very -- I can’t make phone calls in my house.”<sup>51</sup>
- 3 • “We literally have not a bar but a dot.”<sup>52</sup>
- 4 • The Acting Chief of the Trinity Center Volunteer Fire Department: “I am calling
- 5 about public safety concerns regarding about the failure of both the landline and cell
- 6 service in our area this winter. The Verizon tower does not have a backup power
- 7 system, so when the power goes out, which has been frequently this winter, residents
- 8 with cell phones are unable to call 9-1-1.”<sup>53</sup>
- 9 • “Last summer I had an emergency at my home. I get one bar in parts of my home. I
- 10 have a wi-fi extender which does not work in the rest of my home. The rest of my
- 11 home gives an SOS signal, but I had an outdoor emergency, and I was unable to call
- 12 9-1-1 during that outdoor emergency on my front lawn.”<sup>54</sup>

13 **Q: Why is the consumer experience relayed during the service quality proceeding**  
 14 **relevant to the Lifeline customers at issue in this proceeding as well as relevant more**  
 15 **generally to all of AT&T’s wireline customers?**

16 A: It is reasonable to assume that AT&T’s Lifeline and non-Lifeline customers encounter  
 17 the same reliability (or lack of reliability) problems that many Californians experience.  
 18 For that reason, consumers’ actual experiences, as conveyed in the service quality  
 19 proceeding, bear directly on the merits of AT&T’s Application in this proceeding. The  
 20 Commission has not yet held public participation hearings in this proceeding and,  
 21 therefore, until such time as that occurs, the experience of consumers generally as relayed  
 22 during the public participation hearings in the service quality proceeding, sheds light on  
 23 AT&T’s customers’ alternatives. Moreover, the lack of wireless service reliability  
 24 justifies the decision by all customers – Lifeline and non-Lifeline – to continue to

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<sup>51</sup> Tr. April 18, 2023, Volume 3, p. 361, ll. 9-13 (included with Exhibit SMB-8).

<sup>52</sup> Tr. May 3, 2023, Volume 4, p. 442, ll. 21-22 (included with Exhibit SMB-8).

<sup>53</sup> Tr. May 3, 2023, Volume 4, p. 468, ll. 15-23 (included with Exhibit SMB-8). Regarding the issue with the landline, if the service (including any associated remote terminals) were adequately maintained, the landline would function during the power outage.

<sup>54</sup> Tr. May 3, 2023, Volume 4, p. 472, l. 21 – p. 473, l. 1 (included with Exhibit SMB-8).

1 subscribe to wireline service. Not only do consumers want to be able to carry on  
2 conversations with friends, family, agencies and organizations, but also they want to  
3 know that they will be able to reach 9-1-1 should an event so require. Granting AT&T's  
4 request to relinquish its ETC status would jeopardize the quality and safety of consumers'  
5 lives.

6 **Q: Did you prepare some examples that depict the overlap between unreliable wireless**  
7 **service (as reported by consumers during the service quality public participation**  
8 **hearings) and wire centers where AT&T seeks to be relinquished of its ETC**  
9 **obligation?**

10 A: Yes. I include four maps in Exhibits SMB-9 through SMB-12 that illustrate this overlap.  
11 Although the locations given in the public hearing are general (e.g. place names, rather  
12 than addresses), plotting the locations on a map of AT&T service territory shows that  
13 wireless service is not a feasible alternative for all consumers. Although my four maps  
14 focus on Lifeline customers' locations, the lack of reliable wireless service is not specific  
15 to Lifeline customers.

16 **Q: Please discuss the maps you prepared that are in Exhibits SMB-9 through SMB-12.**

17 A: These exhibits include and show the following:

- 18 • Exhibit SMB-9 shows three examples of poor, or nonexistent mobile service in  
19 the AT&T service territory in Big Sur (No. 1), Forest Ranch (No. 2), and Arnold  
20 (No. 3), based on consumers' statements in the service quality public participation  
21 hearings.

- 1           • Exhibit SMB-10 shows the approximate location of a Big Sur resident who states  
2           that “cell service not available at any of [the] residences” in the area.<sup>55</sup> Although  
3           the consumer’s exact location (address) is unknown, the Big Sur area definitely  
4           includes Census Blocks (in orange) where Lifeline customers are known to  
5           reside.<sup>56</sup>
- 6           • Exhibit SMB-11 shows the location of a Forest Ranch resident who stated that  
7           neither cell service nor digital subscriber line service is available in the area.<sup>57</sup>  
8           Numerous Lifeline customers live in Forest Ranch.<sup>58</sup>
- 9           • A resident of Arnold (see Exhibit SMB-12) states that there is no AT&T Wireless  
10          service, and that the Verizon wireless service is unreliable.<sup>59</sup> Given that other  
11          wireless ETCs “piggy-back” on the networks of these facilities-based providers,  
12          one can reasonably conclude that Lifeline customers (and indeed all customers) in  
13          these areas cannot rely on mobile telephony as an alternative to AT&T’s wireline  
14          service.<sup>60</sup>

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<sup>55</sup> Tr. December 8, 2022, Volume 2, p 153, l. 11 - p. 154, l. 1.

<sup>56</sup> AT&T response to TURN 1-2 , ETC Exhibit D for Data Request\_ATTCA-CPUC-ETC00001329.xlsx; [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip) (Census Blocks shapefile, downloaded 10/11/2023 (Exhibit SMB-6).

<sup>57</sup> Tr. December 8, 2022, Volume 2, p. 181, l. 28 - p.182, l. 16.

<sup>58</sup> AT&T response to TURN 1-2 , ETC Exhibit D for Data Request\_ATTCA-CPUC-ETC00001329.xlsx; [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip) (Census Blocks shapefile, downloaded 10/11/2023 (Exhibit SMB-6).

<sup>59</sup> Tr. December 8, 2022, Volume 2, p. 241, l. 4 - p. 241, l. 23.

<sup>60</sup> Although the consumer did not address the presence or absence of T-Mobile, it seems likely that if T-Mobile were available, the consumer would have been aware of such presence.

1 **Q: Please summarize the significance of these examples of inadequate wireless service**  
2 **(shown in Exhibits SMB-9 through SMB-12) to AT&T's request to relinquish its**  
3 **ETC status.**

4 A: These examples of spotty or non-existent wireless service underscore the need for AT&T  
5 to continue offering wireline service. If wireless service is non-existent or if service is  
6 unreliable, then the Commission should not consider it an alternative for AT&T's  
7 Lifeline customers.

8 **Q: Are there other reasons that wireless ETCs cannot be considered as alternatives to**  
9 **AT&T's wireline service?**

10 A: Yes. In the past, wireless carriers have overstated their coverage in the maps that they  
11 submit to the FCC.<sup>61</sup> For these various reasons, consumers' actual experience with  
12 wireless service in their neighborhoods provides a more accurate depiction of whether  
13 wireless service is a meaningful alternative than do the coverage maps upon which  
14 AT&T relies in support of its Application.<sup>62</sup> It is my understanding that the Commission  
15 will be holding public participation hearings for this proceeding, and during these  
16 proceedings, customers may address the reliability or unreliability of wireless service as  
17 it affects the availability of meaningful alternatives to AT&T's wireline service.

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<sup>61</sup> *Government Technology*, "FCC Report: Mobile Service Maps Often Overstate Coverage," Kassidy Vavra, December 06, 2019. <https://www.govtech.com/network/fcc-report-mobile-service-maps-often-overstate-coverage.html>; *Ars Technica*, "At least one major carrier lied about its 4G coverage, FCC review finds," Jon Brodtkin, December 10, 2018. <https://arstechnica.com/tech-policy/2018/12/at-least-one-major-carrier-lied-about-its-4g-coverage-fcc-review-finds/>

<sup>62</sup> AT&T Supplemental Application, Attachment 2.

1   **Q:    Are there other considerations affecting wireless service as an alternative to**  
2       **AT&T's wireline service for Lifeline customers?**

3   A:    Yes. Although I understand that affordability is not one of the criterion set forth in  
4       Section 214, it is important to consider the broader consequences of a premature approval  
5       of AT&T's request to relinquish its ETC obligation. A single subscription to wireline  
6       phone service – which serves an entire household – is more affordable than the option of  
7       each household member subscribing individually to wireless service. If only one wireless  
8       service were available, whenever the cell phone is in the possession of a family member  
9       while she is outside the home, the wireless service cannot be used by the other family  
10      members to reach 911 and other public safety numbers. Moreover, assuming the wireline  
11      connection is maintained adequately, the wireline connection will function during power  
12      outages, whereas the wireless phone may not.

13   **Q:    Please summarize your analyses of AT&T's reliance on wireless carriers to support**  
14       **its Application.**

15   A:    AT&T has failed to demonstrate that all of its customers have the option to obtain  
16       reliable voice service from a wireless ETC. Instead, several examples, depicted in  
17       Exhibits SMB-9 through SMB-12, show that there are areas in AT&T's service territory  
18       where Lifeline customers live and where customers have stated unambiguously that  
19       wireless service is either non-existent or unreliable. The fact that so many Lifeline  
20       customers continue to rely on wireline service, despite the general trend of low-income  
21       residents disproportionately preferring wireless service, suggests that there are likely  
22       many places where wireless service is simply not a realistic option. It follows logically  
23       that the approximate 100,000 AT&T Lifeline customers include many people who prefer

wireline service specifically because wireless alternatives don't exist, are unreliable, or are incompatible with medical devices. Also, as I discuss in Section IV.G, below, older adults of all incomes disproportionately rely on wireline service, which underscores public interest consequences of prematurely granting AT&T's request to relinquish its ETC obligations.

**E. Many consumers lack the alternative to AT&T's wireline voice service that cable companies' platform provides.**

**Q: AT&T's Application relies in part on the presence of services offered by cable companies. Which cable companies does AT&T rely on?**

A: AT&T relies on the services of three cable companies: Consolidated Communications Enterprise Services, Inc. ("Consolidated Communications"); Cox California Telcom, LLC ("Cox"); and Time Warner Cable Inc. ("Time Warner").<sup>63</sup> Cable companies offer Voice over Internet Protocol ("VoIP") services using the cable infrastructure that they have originally deployed to offer video and high-speed internet access services. Nationwide, approximately 90% of VoIP service where the consumer purchases voice from the same company that provides the broadband connection (as opposed to "over-the-top" or "bring-your-own-broadband" VoIP) is purchased as part of a bundle that includes either video, or high-speed internet access, or both.<sup>64</sup> Considering only non-

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<sup>63</sup> AT&T Supplemental Application, Attachment 2. Charter Communications, Inc. acquired Time Warner Cable Inc and Bright House Networks LLC in 2016.

<sup>64</sup> "Voice Telephone Services: Status as of June 30, 2022," FCC Industry Analysis Division, Office of Economics and Analytics," August 2023 ("FCC Voice Telephone Services Report"), p. 6, Figure 4. Including ILEC and non-ILEC VoIP (and excluding over-the-top VoIP) for residential and business customers: 43,391,000 VoIP services were provided *with* internet access and 4,984,000 VoIP lines were provided *without* internet access. *Id.*

1 ILEC (i.e., cable providers), nationwide, approximately 88% of VoIP service is  
2 purchased with internet access.<sup>65</sup> Although Lifeline consumers are not required to  
3 purchase a bundle from cable companies in order to subscribe to voice service, cable  
4 companies actively market bundled offerings.

5 **Q: Are cable companies’ networks ubiquitously deployed throughout AT&T’s service**  
6 **territory?**

7 A: No. If cable companies were ubiquitously present, then there would be no need for  
8 federally and state subsidized programs to support broadband deployment such as the  
9 California Advanced Services Fund (“CASF”) Broadband Infrastructure Grant Program,  
10 CASF Federal Funding Account (FFA), Broadband Equity Access and Deployment  
11 (“BEAD”) and Rural Digital Opportunity Fund (“RDOF”). As I stated earlier, although  
12 AT&T removed the RDOF ETCs from its Application, it also “reserved[d] the right to  
13 reinclude the RDOF ETCs later in the proceeding as they continue to build out their  
14 coverage.”<sup>66</sup> The mere presence of an RDOF ETC that is not yet ready to offer service is  
15 meaningless for the purpose of this proceeding. Moreover, the fact that gaps in  
16 broadband availability persist demonstrates clearly that not all Californians can subscribe  
17 to voice service from cable companies.<sup>67</sup> Even areas that have been granted subsidies for  
18 high-speed internet access deployment may still be waiting for networks to be built –  
19 simply awarding grants doesn’t translate into overnight availability.<sup>68</sup>

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<sup>65</sup> *Id.*

<sup>66</sup> Supplemental Application, page 14, including footnote 52 (ATTCA-CPUC-ETC00002029).

<sup>67</sup> Cable companies offer voice service over their cable platform.

<sup>68</sup> On August 28, 2023, the Commission submitted a final Five-Year Action Plan to NTIA, and on November 7, 2023, the Commission released draft versions of Volume 1 and Volume 2 of its Initial BEAD Proposal for public comment. <https://www.cpuc.ca.gov/industries-and-topics/internet-and->

1 **Q: Please elaborate on the significance of the lack of a ubiquitous broadband**  
2 **infrastructure for consumers' ETC options.**

3 A: Although cable companies offer the primary (almost exclusive) wireline alternative to  
4 AT&T's wireline service,<sup>69</sup> not all residents have that cable-based option. Moreover,  
5 simply because a cable company may serve some part of a wire center does not mean that  
6 the cable provider serves all residents located in that wire center, or that if a cable  
7 company advertises service it actually has the infrastructure to serve all households in  
8 any given area.<sup>70</sup>

9 **Q: Among AT&T's sources for its Application is the Commission's Fixed Broadband**  
10 **Map.<sup>71</sup> Is this map continuing to be corrected and updated?**

11 A: Yes. Recently enacted state legislation seeks to improve the accuracy of California's  
12 broadband map,<sup>72</sup> and, among other things, acknowledges the limitations of providers'

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[phone/broadband-implementation-for-california/bead-program](#). Clearly many areas in California will continue to lack voice options that rely on high-speed internet access for five (or more) years.

<sup>69</sup> In California, as of June 30, 2022, of 13,218,000 households, 1,086,000 subscribed to voice service offered over switched access (i.e., "traditional") lines, and 3,385,000 subscribed to voice service over VoIP. *FCC Voice Telephone Services Report*, p.12, Table 3.

<sup>70</sup> <https://arstechnica.com/tech-policy/2022/12/comcast-debacles-dominate-ars-technicas-biggest-isp-horror-stories-of-2022/>; <https://arstechnica.com/tech-policy/2023/02/comcast-could-have-avoided-giving-false-map-data-to-fcc-by-checking-its-own-website/>; <https://arstechnica.com/tech-policy/2023/02/comcast-gave-false-map-data-to-fcc-and-didnt-admit-it-until-ars-got-involved/>; <https://arstechnica.com/tech-policy/2022/04/comcast-wanted-man-to-pay-19000-even-though-his-neighbor-already-had-service/>; <https://www.thestreet.com/technology/comcast-caught-in-another-customer-service-scandal>

<sup>71</sup> AT&T Supplemental Application, Attachment 2.

<sup>72</sup> Assembly Bill No. 286, CHAPTER 645, An act to amend Section 281.6 of the Public Utilities Code, relating to communications. [ Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023. ] Among other things:

The bill would additionally require that map to include certain features to receive self-reported data, including, among others, a feature that allows individuals to refute the broadband speed or technology, or both, that an internet service provider claims to offer at an address. The bill would require that map to include a feature for users to submit a verified speed test, as defined, at their location. The bill would make this self-reported data publicly available by address and would require the commission to obtain consent from an individual before publicly disclosing information that the individual submits, as



1 self-reported data.<sup>73</sup> The Author’s Statement, included in the legislative analysis  
2 prepared for the Assembly Communications and Conveyance Committee regarding AB  
3 286 states:

4 AB 286 incorporates and updates feedback gathered by the California  
5 Public Utilities Commission (CPUC) regarding broadband access at the  
6 address level. The maps currently produced by the CPUC gather feedback,  
7 but do not make that information publicly available. As a result,  
8 communities statewide are often overlooked when their actual  
9 broadband experience is not represented on public maps. California needs  
10 more detailed metrics to understand the challenges to broadband access  
11 statewide—broad definitions of served versus unserved are not enough.  
12 Data points like speed, price, and reliability at the address level home in  
13 on what barriers are holding communities back. Incorporating such  
14 feedback will ensure that public and private investment better target those  
15 households that still struggle with the digital divide. Maps that do not  
16 incorporate public feedback will continue to miss the mark for our most  
17 vulnerable and marginalized communities.<sup>74</sup>  
18

19 **Q: Is the FCC also addressing inaccuracies with its broadband map?**

20 **A:** Yes. In the past, there was a well-acknowledged flaw in the FCC’s broadband map that if  
21 one customer was served in a census block, the assumption was that the entire census  
22 block is served – this led to misleading depiction of availability. However, the FCC is  
23 working to fix this flaw and to improve the accuracy of its broadband map, in part,  
24 relying on challenges from the public.<sup>75</sup> The FCC states: “Consumers, state, local and

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provided. The bill would prohibit the commission from accepting certain self-reported information collected by the commission as evidence in a commission proceeding unless the commission validates the accuracy of that self-reported information.

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB286](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB286)

<sup>73</sup> Assembly Bill No. 286, CHAPTER 645, An act to amend Section 281.6 of the Public Utilities Code, relating to communications. Section 281.6(i).

<sup>74</sup> Analysis prepared March 27, 2023 for the Assembly Communications and Conveyance Committee hearing, held March 29, 2023.

<sup>75</sup> <https://www.fcc.gov/BroadbandData>

1 Tribal government entities, and other stakeholders can help verify the accuracy of the  
2 data shown on the map by filing challenges.”<sup>76</sup>

3  
4 The FCC also provides a detailed explanation of how consumers can file challenges.<sup>77</sup>

5 The fact that there is such a comprehensive process to facilitate consumers’ challenges to  
6 the FCC’s broadband map underscores the FCC’s recognition of the pitfalls of relying  
7 solely on providers’ representations to federal and state regulators as to their service  
8 coverage. Also, states may challenge the map that is used to award BEAD grants.<sup>78</sup>

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<sup>76</sup> <https://www.fcc.gov/BroadbandData>

<sup>77</sup> <https://help.bdc.fcc.gov/hc/en-us/sections/10467243210651-Consumers-Individuals>.

<sup>78</sup> [https://www.ntia.gov/sites/default/files/2023-09/bead\\_challenge\\_process\\_policy\\_notice.pdf](https://www.ntia.gov/sites/default/files/2023-09/bead_challenge_process_policy_notice.pdf)

1 **Q: In your analyses, do you rely on the Commission’s broadband map or the FCC’s**  
2 **broadband map?**

3 A: I rely on the Commission’s broadband map to determine where the three cable-based  
4 ETCs identified in Attachment 2 to AT&T’s Application are present. The broadband  
5 gaps in my maps show where cable-based ETCs do *not* offer an alternative to AT&T.

6 **Q: How many Lifeline customers subscribe to cable-based ETCs in AT&T’s service**  
7 **territory?**

8 A: AT&T reports that:

- 9 • Consolidated Communications serves 32 Lifeline subscribers, of which 23 are  
10 Federal Lifeline subscribers;
- 11 • Cox serves 6,185 Lifeline subscribers, of which 5,297 are Federal Lifeline  
12 subscribers; and
- 13 • Time Warner serves 8,143 Lifeline subscribers, of which 7,035 are Federal  
14 Lifeline subscribers.<sup>79</sup>

15 **Q: Why do you limit your examination to cable companies – don’t ILECs also offer**  
16 **VoIP service?**

17 A: ILECs do not compete in each other’s territory and so, for example, the fact that Frontier  
18 offers a digital voice service over the portions of its network that are fiber-based is  
19 meaningless to AT&T’s Lifeline customers. My analyses that are based on the  
20 Commission’s broadband map exclude AT&T’s broadband deployment.

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<sup>79</sup> Supplemental Application, Attachment 1 (ATTCA-CPUC-ETC00002079, ATTCA-CPUC-ETC00002084 and ATTCA-CPUC-ETC00002114).

1 **Q: Please describe further your analysis of cable-based ETCs as alternatives to**  
2 **AT&T's wireline service?**

3 A: I demonstrate by example that AT&T has failed to show that all of its Lifeline customers  
4 have cable-based ETC alternatives. As examples, I chose areas in AT&T's service  
5 territory that include ESJ communities. Exhibits SMB-13 through SMB-16, which are  
6 based on the Commission's broadband map,<sup>80</sup> show the locations of cable-based  
7 platforms for voice service.

8 **Q: Please describe your first map.**

9 A: Exhibit SMB-13 illustrates AT&T wire centers (shown in blue hatch)<sup>81</sup> and ESJ  
10 communities (shown in purple).<sup>82</sup> This map shows that many AT&T wire centers overlap  
11 with ESJ communities, especially in the Central Valley. I choose to show ESJ  
12 communities to assist the Commission in considering whether granting AT&T's  
13 Application would have a disparate impact on communities of color, low-income  
14 communities, or other historically unserved or underserved communities.

15 **Q: Please describe the map you prepared shown in Exhibit SMB-14.**

16 A: Exhibit SMB-14 illustrates AT&T wire centers (shown in blue hatch),<sup>83</sup> ESJ communities  
17 (shown in purple),<sup>84</sup> and ETC cable deployment (shown in green)<sup>85</sup> and shows that there  
18 are many parts of AT&T's service territory where households lack cable-based voice  
19 alternatives, including in many ESJ communities.

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<sup>80</sup> CPUC fixed broadband deployment data:

[https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip), layer "Fixed\_Consumer\_Deployment" downloaded 10/11/2023.

<sup>81</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6).

<sup>82</sup> ESJ communities are based on Attachment 5.1, included with AT&T's response to TURN 2-5. I include this response as Exhibit SMB-14.

1   **Q:     Please describe the map shown in Exhibit SMB-15.**

2   A:     Exhibit SMB-15 illustrates AT&T wire centers (shown in blue hatch),<sup>86</sup> ESJ communities  
3         (shown in purple),<sup>87</sup> ETC cable deployments (shown in green),<sup>88</sup> and Census Blocks with  
4         Lifeline customers (shown in gold).<sup>89</sup> Exhibit SMB-15 shows that many customers,  
5         including those living in ESJ communities, lack cable-based ETC alternatives.

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<sup>83</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6).

<sup>84</sup> ESJ communities from Attachment 5.1, included with AT&T's response to TURN 2-5, reproduced as Exhibit SMB-3.

<sup>85</sup> CPUC fixed broadband deployment data:

[https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip), layer "Fixed\_Consumer\_Deployment" downloaded 10/11/2023.

<sup>86</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6).

<sup>87</sup> ESJ communities from Attachment 5.1, included with AT&T's response to TURN 2-5, reproduced as Exhibit SMB-3.

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<sup>89</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6);

[https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip) (Census Blocks shapefile, downloaded 10/11/2023).

1   **Q:     What is the purpose of your map shown in Exhibit SMB-16?**

2   A:     Exhibit SMB-16 focuses on the area between AT&T's Fresno and Bakersfield wire  
3           centers and depicts AT&T wire centers (shown in blue hatch),<sup>90</sup> ESJ communities (shown  
4           in purple),<sup>91</sup> ETC cable deployment (shown in green),<sup>92</sup> and Census Blocks with Lifeline  
5           customers (shown in gold).<sup>93</sup> Exhibit SMB-16 shows that many customers, including  
6           Lifeline customers, in ESJ communities lack a cable-based voice alternative to AT&T.

7   **Q:     Please describe your understating of the difference in AT&T's approach and your**  
8           **approach to determining whether customers have alternatives to AT&T's service.**

9   A:     AT&T appears to rely excessively on the Commission's designations of ETCs' service  
10          territories, which are general and do not necessarily reflect where ETCs can actually offer  
11          service. The Commission's designations are more aspirational than grounded in a  
12          comprehensive finding that all customers can actually subscribe to the ETC's service.  
13          Also, Attachments 3 and 4 to AT&T's Supplemental Application, which I describe in  
14          Section IV.C, above, rely on arbitrary cut-offs of percentages of populations covered.

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<sup>90</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6).

<sup>91</sup> ESJ communities from Attachment 5.1, included with AT&T's response to TURN 2-5, reproduced as Exhibit SMB-3.

<sup>92</sup> CPUC fixed broadband deployment data:

[https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip), layer "Fixed\_Consumer\_Deployment" downloaded 10/11/2023.

<sup>93</sup> AT&T response to TURN 1-2, ETC Exhibit D for Data Request, ATTCA-CPUC ETC00001329 (reproduced as Exhibit SMB-6);

[https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip) (Census Blocks shapefile, downloaded 10/11/2023).

1  
2 As I understand the Commission's evaluation of the merits of AT&T's Application, *all*  
3 customers must be considered. Exhibit SMB-13 through SMB-16 provide examples that  
4 show that many of AT&T's customers lack cable-based alternatives.

5 **F. Wireline resellers depend on AT&T's network in order to serve Lifeline**  
6 **customers.**

7  
8 **Q: AT&T's Application relies in part on the presence of a wireline reseller.<sup>94</sup> Please**  
9 **describe briefly this wireline reseller.**

10 A: Connect To Communications, Inc. ("ConnectTo") serves 2,264 California LifeLine  
11 subscribers, of which 2,240 are federal Lifeline subscribers. ConnectTo leases AT&T's  
12 unbundled network element facilities in order to serve its customers.<sup>95</sup> Blue Casa,  
13 another reseller of AT&T's wireline network, is exiting the market, which illustrates the  
14 precariousness of companies that depend on AT&T in order to serve customers. In sharp  
15 contrast, AT&T has a long legacy and substantial financial resources.

16 **Q: What are the implications of ConnectTo's reliance on AT&T?**

17 A: ConnectTo's ability to provide reliable and affordable service depends on the rates,  
18 terms, conditions, and quality of the facilities that AT&T leases to ConnectTo. The exit  
19 by Blue Casa illustrates the challenge of a business model whereby a provider relies on  
20 an incumbent carrier's facilities in order to provide voice service.<sup>96</sup> The FCC's decision  
21 in 2020 to eliminate unbundling requirements for DS1 and DS3 loops "where there is

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<sup>94</sup> AT&T Supplemental Application, Attachment 2.

<sup>95</sup> AT&T Supplemental Application, Attachment 1, page 41 (ATTCA-CPUC-ETC00002074).

<sup>96</sup> Application of Blue Casa Telephone, LLC (U7222C) to Discontinue Its Provision of Local Exchange and Interexchange Services, including Basic Service, and Relinquish Eligible Telecommunications Carrier Designation, September 13, 2023, A.23-09-006.

evidence of actual and potential competition” and for broadband-capable DS0 loops in the most densely populated areas is further thwarting the financial viability of resellers.<sup>97</sup>

**Q: Did Blue Casa explain its exit from the market?**

A: Yes. Among other things, Blue Casa states:

Blue Casa’s proposed discontinuation of service is prompted by wholesale price changes, termination of unbundled network serving options, the elimination of resale discounts, and other economic and operational factors that have left it without sufficient financial resources to continue serving customers on a competitive basis at sufficiently remunerative rates.<sup>98</sup>

Moreover, Blue Casa’s departure will diminish ETC alternatives in ESJ communities.

Blue Casa states:

Since its inception, Blue Casa has focused primarily on serving the needs of serving low-income customers, particularly residents of Spanish-speaking households. Indeed, the majority of Blue Casa’s customers currently receive service with support from the federal Lifeline and California LifeLine programs. Unfortunately, Blue Casa’s discontinuation of service will necessarily reduce choices for these and other customers in the communities that Blue Casa serves.<sup>99</sup>

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<sup>97</sup> *Modernizing Unbundling and Resale Requirements in an Era of Next-Generation Networks and Services*, Report and Order, 35 FCC Rcd 12425 (2020). Concerns were raised about the harmful impact of the decision on competition and concerns continue to be raised. See, e.g., dissenting statement of Chairwoman (then Commissioner) Rosenworcel:

While I support the fundamentals of this compromise, I think our analysis is lacking. It too casually dismisses concerns about competitive entry, and too often asserts the presence of competition without additional evidence. I think this failing is most pronounced when it comes to broadband competition. In particular, I am concerned that this decision relies on analyses that overstate the presence of competition and do not meaningfully consider how the retirement of legacy facilities will impact the availability of consumer broadband in the future.

*Id.* See also, WC Docket No. 19-308, Petition for Reconsideration of Sonic Telecom, LLC, February 8, 2021; and WC Docket No. 19-308, Reply to Opposition of Public Knowledge and The Utility Reform Network (TURN), October 14, 2022.

<sup>98</sup> Application of Blue Casa Telephone, LLC (U7222C) to Discontinue Its Provision of Local Exchange and Interexchange Services, including Basic Service, and Relinquish Eligible Telecommunications Carrier Designation, September 13, 2023, A.23-09-006, p. 1.

<sup>99</sup> *Id.*, p. 7.



1   **Q:    Are there other examples of companies exiting local markets in California that**  
2       **relied on incumbent carriers’ underlying facilities to offer voice service?**

3   A:    Yes. AT&T’s affiliate, AT&T Corp, which relied on Frontier’s facilities, recently exited  
4       the residential market in Frontier’s service territory.<sup>100</sup> Also, MCI, a non-ETC carrier  
5       with California-only LifeLine customers, has also submitted an application to withdraw  
6       from providing residential service.<sup>101</sup> Both Blue Casa and MCI have identified AT&T as  
7       the underlying carrier to receive the Blue Casa and MCI customers, including their  
8       Lifeline customers. Specifically, AT&T has agreed to be the Arranged Carrier to receive  
9       MCI’s customers.

10  
11       MCI seeks Commission authority to “[d]iscontinue the provision of local exchange  
12       service and related bundled offerings of local and interexchange voice services” and  
13       transfer its existing customers to other carriers by December 31, 2023.<sup>102</sup> MCI currently  
14       serves all these customers through networks leased and purchased from AT&T, and  
15       proposes that those customers who do not choose a new provider be transferred to

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<sup>100</sup> On May 14, 2021, AT&T Corp. (U 5002 C), a Competitive Local Exchange Carrier (CLEC), filed an application to discontinue residential services in the service territory of Frontier Communications, Inc. (Frontier) and to relinquish its Eligible Telecommunications Carrier (ETC) designation. A.21-05-007, Application of AT&T Corp. (U 5002 C) to Discontinue Providing Residential Service in Frontier Territory and Relinquish Eligible Telecommunications Carrier Designation. Frontier, the underlying Network Service Provider and Carrier of Last Resort in the territory, agreed to be the Arranged Carrier. The Commission approved AT&T’s application on August 4, 2022. *Decision Authorizing AT&T Corp. to Discontinue Providing Residential Service in Frontier Territory and Relinquish Eligible Telecommunications Carrier Designation*, D.22-08-006 (A.21-05-007).

<sup>101</sup> Application of MCImetro Access Transmission Services LLC (U-5253-C) to Discontinue Local Exchange Service (MCI Application), A.23-09-006 (Oct. 2, 2023) (“MCI Application”).

<sup>102</sup> *Id.*, at p. 1.

1 AT&T.<sup>103</sup> This means that, post-migration from Blue Casa and MCI to AT&T, the  
2 number of customers potentially affected by AT&T's Application will be yet larger.<sup>104</sup>  
3

4 Among MCI's explanations for its exit from the residential market is the following:

5 MCI has been serving the remaining small number of local exchange  
6 customers that operate in AT&T's service territory, through purchase of  
7 loop and switch unbundled network elements-platforms ("UNE-Ps") from  
8 AT&T. Due to increasing prices for these UNE-Ps . . . MCI seeks to  
9 discontinue providing services to its remaining local exchange residential  
10 and small business customers.<sup>105</sup>  
11

12 **Q: What then do you conclude based on your analysis of the role of resellers and of the**  
13 **sole ETC that relies on AT&T's wireline facilities?**

14 A: Examining the merits of AT&T's Application should not rely on a simple yes-no of other  
15 carriers' presence but should instead take into account the various aspects of the ETC-  
16 served market such as the financial robustness of the companies, the reliability of their  
17 service, and their dependence on other carriers' networks. The fact that Blue Casa, MCI,  
18 and AT&T Corp. have discontinued (or seek to discontinue) operations illustrate the  
19 substantial challenges that resellers confront. Finally, AT&T will be acquiring customers  
20 now served by Blue Casa and MCI, which expands the potential consumer harm of  
21 granting AT&T's request to relinquish its ETC status.

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<sup>103</sup> *Id.*, at pp. 1, 2, 4.

<sup>104</sup> MCI's customers who now receive only the California LifeLine support may well apply for federal Lifeline support from AT&T.

<sup>105</sup> MCI Application, p. 4.

1   **G. Public interest considerations.**

2  
3   **Q:     In response to TURN 2-5, AT&T stated in part: “Under Section 214(e)(4) of the**  
4         **Communications Act, an ETC relinquishment application ‘shall be granted’ in**  
5         **areas with other ETCs, regardless of the demographic composition of those areas.”**  
6         **(cite omitted). Please comment.**

7   A:     I am not testifying as a lawyer, but from a public policy perspective, the Commission  
8         should consider all aspects of AT&T’s Application and should reject AT&T’s attempt to  
9         define the scope of the Commission’s review too narrowly. Instead, it is entirely  
10        appropriate, in my view, for the Commission also to consider the potential impact of  
11        granting AT&T’s request to relinquish its ETC status on ESJ communities, on older  
12        adults, and on consumers with specialized devices that particularly depend on reliable  
13        voice connections in order to function properly.

14   **Q:     Could AT&T’s relinquishment of its ETC status harm older adults?**

15   A:     Yes. Older adults disproportionately rely on wireline service (i.e., are less likely to opt  
16         for wireless service than are their younger counterparts).

- 17         • The percentage of adults who are wireless-only decreases as age increases  
18           beyond 35 years: 83.3% for those 35–44; 71.2% for those 45–64; and 47.8% for  
19           those 65 and over.<sup>106</sup>
- 20         • Across all adults, between 2.9 and 3.6 percent are “landline-mostly” and yet  
21           among adults 65 and older, 10.3 to 12.6 percent are “landline-mostly.”<sup>107</sup>
- 22         • Across all adults, 1.8-2.3 are “landline-only” and among adults 65 and older, 6.1  
23           to 7.7 percent are “landline-only.”<sup>108</sup>

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<sup>106</sup> “Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July-December 2022,” Stephen J. Blumberg, Ph.D., and Julian V. Luke, Division of Health Interview Statistics, National Center for Health Statistics, released May 2023, <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202305.pdf>, at 3.

<sup>107</sup> *Id.*, at 7.

<sup>108</sup> *Id.*

1 Also, the adoption of high-speed internet access in the home tracks age: older adults are  
2 less likely to subscribe to high-speed internet access than are their younger  
3 counterparts.<sup>109</sup> This fact matters because high-speed internet access corresponds with  
4 the platform that the three cable-based ETCs use to provide voice service. In other  
5 words, all else being equal, older persons are less likely than are their younger  
6 counterparts to subscribe to cable-based ETCs.

7 **Q: How does California’s Lifeline subscribers’ reliance on wireline service compare**  
8 **with the national average?**

9 A: Lifeline households in California are significantly more likely to rely on wireline service  
10 than households, on average, throughout the country. As of October 2023, 14% of  
11 California’s Lifeline customers (115,742 out of 1,146,657 total Lifeline customers)  
12 subscribe to wireline-based Lifeline service.<sup>110</sup> This contrasts sharply with the national  
13 average, as of May 2021, when only 8 percent of Lifeline customers subscribed to voice-  
14 only service.<sup>111</sup>

15 **Q: Do the Commission’s deliberations in this proceeding relate to public safety goals?**

16 A: Yes. As I discussed earlier in my testimony, customers rely on wireline service,  
17 especially in those parts of the state where wireless service is unreliable or unavailable.  
18 Often sparsely populated areas are where spotty service exists. Californians, especially

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<sup>109</sup> *Pew Research Center 2021 Internet/Broadband Fact Sheet* available at  
<https://www.pewresearch.org/internet/fact-sheet/internet-broadband/>

<sup>110</sup> <https://www.cpuc.ca.gov/consumer-support/financial-assistance-savings-and-discounts/lifeline/lifeline-related-forms-and-notice-for-carriers>

<sup>111</sup> FCC Wireline Competition Bureau, “Report on the State of the Lifeline Marketplace,” June 2021, at p. 7.

1 those residing long distances from emergency services, especially depend on reliable  
2 connections to 9-1-1 services. Californians in urban areas, living in structures where  
3 wireless service is unreliable,<sup>112</sup> also may depend on wireline service to reach public  
4 safety agencies and domestic violence hotlines. People who depend on medical devices  
5 especially need reliable connections to the public switched network, which AT&T's  
6 wireline service (assuming AT&T maintains the network adequately) provides.

7 **Q: Are these Environmental Social Justice (ESJ) and public safety concerns relevant to**  
8 **the Commission's assessment of the merits of AT&T's request to relinquish its ETC**  
9 **status?**

10 A: Absolutely. From a public policy perspective, the Commission's oversight of AT&T's  
11 ETC status should encompass these critically important concerns. I am unaware of any  
12 portion of Section 214 that would restrict the Commission's consideration of how  
13 AT&T's request to relinquish its ETC status would affect the Commission's achievement  
14 of its broader ESJ and public safety goals.

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<sup>112</sup> 11 Major Building Materials That Kill Your Cell Phone Reception (wilsonamplifiers.com),  
<https://www.wilsonamplifiers.com/blog/11-major-building-materials-that-kill-your-cell-phone-reception/>.  
See also earlier discussion of consumers' statements during the service quality public participation  
hearings.

1   **V.   CONCLUSION**

2  
3   **Q:   What do you conclude based on your analysis of AT&T's Application?**

4   A:   AT&T has failed to demonstrate that AT&T's customers are served by another ETC that  
5       is willing to provide service now or by the time the proposed relinquishment would go  
6       into effect. AT&T has not provided the Commission with enough information for the  
7       Commission to determine that alternative ETCs are available to serve all of AT&T's  
8       customers as required by 47 U.S.C. §214(e)(4). I recommend that the Commission deny  
9       the Application.

10  
11       I conclude that AT&T has not demonstrated adequately that customers throughout its  
12       service territory have reasonable alternatives. Wireless-based services are unreliable or  
13       non-existent in some areas. There are many gaps in cable-based ETCs' coverage.  
14       Wireline resellers' exit from local markets imply a tenuous foothold for the one  
15       remaining wireline reseller. Moreover, the potential harm to consumers that would result  
16       from the Commission's premature granting of AT&T's Application suggest that the  
17       Commission should err on the side of protecting consumers.

18   **Q:   If, contrary to your recommendation, the Commission is considering approving**  
19       **AT&T's Application, do you have any recommendations to mitigate against**  
20       **potential consumer harm?**

21   A:   Yes. I recommend that the Commission delay the effective date of such approval until  
22       (1) the FCC discontinues Lifeline support for voice service; and (2) the Commission  
23       grants AT&T's request to relinquish its Carrier of Last Resort ("COLR") designation  
24       throughout all of California. I also recommend that a process be established to ascertain,

1           subject to the Commission's verification, that each customer has been able to obtain  
2           reliable service from another ETC, and for those customers with medical devices, that  
3           such alternative service is compatible with their devices.

4   **Q:   Does this conclude your testimony?**

5   A:   Yes.

# ATTACHMENT A



**SUSAN M. BALDWIN**  
**45 Acorn Path**  
**Groton, Massachusetts 01450**  
[smbaldwinconsulting@gmail.com](mailto:smbaldwinconsulting@gmail.com)

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Susan M. Baldwin specializes in utility economics, regulation, and public policy, with a long-standing focus on telecommunications and with a more recent focus on consumer issues in electric and gas markets. Ms. Baldwin has been actively involved in public policy for forty-five years, which includes thirty-nine years in telecommunications policy and regulation, and thirteen years in energy policy and regulation. Since 2001, she has been consulting to public sector agencies, consumer advocates, and others as an independent consultant. Ms. Baldwin received her Master of Economics from Boston University, her Master of Public Policy from Harvard University's Kennedy School of Government, and her Bachelor of Arts degree in Mathematics and English from Wellesley College. Ms. Baldwin has extensive experience both in government and in the private sector.

Ms. Baldwin has testified before 24 public utility commissions in more than 75 state proceedings, including: the Arkansas Public Service Commission, California Public Utilities Commission, Colorado Public Utilities Commission, Connecticut Department of Public Utility Control, District of Columbia Public Service Commission, Idaho Public Utilities Commission, Illinois Commerce Commission, Indiana Utility Regulatory Commission, Iowa Utilities Board, Maryland Public Service Commission, Massachusetts Department of Telecommunications and Cable, Nevada Public Service Commission, New Hampshire Public Utilities Commission, New Jersey Board of Public Utilities, New Mexico Public Regulation Commission, New York Public Service Commission, Public Utilities Commission of Ohio, Pennsylvania Public Utility Commission, Rhode Island Public Utilities Commission, Tennessee Public Service Commission, Vermont Public Service Board, Washington Utilities and Transportation Commission, Public Service Commission of West Virginia and Wyoming Public Service Commission. Ms. Baldwin has also authored numerous comments and declarations submitted in various Federal Communications Commission proceedings.

Ms. Baldwin has also participated in projects in Delaware, Hawaii, Illinois, New York, South Dakota, and Canada on behalf of consumer advocates, public utility commissions, and competitive local exchange carriers. Ms. Baldwin has served in a direct advisory capacity to public utility commissions in the District of Columbia, Massachusetts, New Mexico, Utah and Vermont. Ms. Baldwin has also testified on behalf of public utility commission staff in Idaho and Rhode Island. Ms. Baldwin has testified before state legislative committees in Maryland, Massachusetts, Ohio, and Pennsylvania.

Ms. Baldwin has sponsored expert reports in state taxation proceedings. Also, in her capacity as an independent consultant, Ms. Baldwin has consulted to and testified on behalf of consumer advocates on diverse matters including the electric retail market, consumer protection and consumer services issues in telecommunications, electric, and gas proceedings, broadband deployment, numbering resources, unbundled network element (UNE) cost studies, incumbent

local exchange carriers' requests for competitive classification of services, mergers and spin-offs, rate cases, universal service, service quality, and state *Triennial Review Order* (TRO) proceedings.

During 2022 and early 2023, Ms. Baldwin completed two comprehensive analyses of the residential retail electric market on behalf of the Maine Office of Public Advocate and the Connecticut Office of Education, Outreach, and Enforcement. Ms. Baldwin sponsored detailed testimony on behalf of the Connecticut Office of Consumer Counsel in 2019 and in 2014 regarding the third-party residential electric market. In her testimony, she summarized her detailed analysis of the prices that retail customers of suppliers pay and her review of consumer complaints regarding the retail electric market. In 2018, Ms. Baldwin co-authored an analysis of Maryland's residential electric and gas supply markets on behalf of the Maryland Office of People's Counsel. She also conducted an in-depth analysis of the retail residential electric market in Massachusetts for the Massachusetts Office of the Attorney General.

Ms. Baldwin has analyzed customer service issues in many electric and gas rate case proceedings on behalf of consumer advocate offices. Ms. Baldwin has worked with local, state, and federal officials on energy and environmental issues. As a policy analyst for the New England Regional Commission (NERCOM) and Massachusetts Office of Energy Resources (MOER), she acquired extensive experience working with governors' offices, state legislatures, congressional offices, and industry and advocacy groups. As an energy analyst for NERCOM, Ms. Baldwin coordinated New England's first regional seminar on low-level radioactive waste, analyzed federal and state energy policies, and wrote several reports on regional energy issues. While working with the MOER, Ms. Baldwin conducted a statewide survey of the solar industry and analyzed federal solar legislation. While attending the Kennedy School of Government, Ms. Baldwin served as a research assistant for the school's Energy and Environmental Policy Center.

Ms. Baldwin has contributed to numerous comments submitted to the FCC on diverse aspects of broadband in various proceedings on topics such as data collection, mapping, deployment, universal service, affordability, consumer protection, and network management. Also, in state regulatory proceedings that have examined carriers' proposals for spin-offs and for mergers, she has recommended conditions concerning broadband deployment.

Ms. Baldwin served as a direct advisor to the Massachusetts Department of Telecommunications and Energy (DTE) between August 2001 and July 2003, in Massachusetts DTE Docket 01-20, an investigation of Verizon's total element long run incremental cost (TELRIC) studies for recurring and nonrecurring unbundled network elements (UNEs). She assisted with all aspects of this comprehensive case in Massachusetts. Ms. Baldwin analyzed recurring and nonrecurring cost studies; ran cost models; reviewed parties' testimony, cross-examined witnesses, trained staff, met with the members of the Commission, assisted with substantial portions of the major orders issued by the DTE; and also assisted with the compliance phase of the proceeding.

Ms. Baldwin has also contributed to numerous comments and declarations submitted to the Federal Communications Commission on issues such as broadband; intercarrier compensation

reform; the Comcast-NBCU merger, price cap regulation; universal service; carriers' petitions for forbearance; separations reform; special access services, relay services; numbering optimization, and the Internet Protocol transition.

Ms. Baldwin worked with Economics and Technology, Inc. for twelve years (1984 to 1988 and 1992 to 2000), most recently as a Senior Vice President. Among her numerous projects were the responsibility of advising the Vermont Public Service Board in matters relating to a comprehensive investigation of NYNEX's revenue requirement and proposed alternative regulation plan. She participated in all phases of the docket, encompassing review of testimony, issuance of discovery, cross-examination of witnesses, drafting memoranda and decisions, and reviewing compliance filings. Another year-long project managed by Ms. Baldwin was the in-depth analysis and evaluation of the cost proxy models submitted in the FCC's universal service proceeding. Also, on behalf of the staff of the Idaho Public Utilities Commission, Ms. Baldwin testified on the proper allocation of US West's costs between regulated and non-regulated services. On behalf of AT&T Communications of California, Inc. and MCI Telecommunications Corporation, Ms. Baldwin comprehensively analyzed the non-recurring cost studies submitted by California's incumbent local exchange carriers. Ms. Baldwin has participated in more than twenty state and federal regulatory investigations of the impact of proposed transfers of control of wireline, wireless and cable companies.

Ms. Baldwin has contributed to the development of state and federal policy on numbering matters. On behalf of the Ad Hoc Telecommunications Users Committee, Ms. Baldwin participated in the Numbering Resource Optimization Working Group (NRO-WG), and in that capacity, served as a co-chair of the Analysis Task Force of the NRO-WG. She has also provided technical assistance to consumer advocates in the District of Columbia, Illinois, Iowa, Massachusetts, and Pennsylvania on area code relief and numbering optimization measures. Ms. Baldwin also co-authored comments on behalf of the National Association of State Utility Consumer Advocates in the FCC's proceeding on numbering resource optimization.

During her first years at ETI, Ms. Baldwin was the Director of Publications and Tariff Research, and, in that capacity, she trained and supervised staff in the analysis of telecommunications rate structures, services, and regulation.

Ms. Baldwin served four years (1988-1992) as the Director of the Telecommunications Division for the Massachusetts Department of Public Utilities (now the Department of Telecommunications & Cable), where she directed a staff of nine, and acted in a direct advisory capacity to the DPU Commissioners. (The Massachusetts DTC maintains a non-separated staff, which directly interacts with the Commission, rather than taking an advocacy role of its own in proceedings). Ms. Baldwin advised and drafted decisions for the Commission in numerous DPU proceedings including investigations of a comprehensive restructuring of the rates of New England Telephone Company (NET), an audit of NET's transactions with its NYNEX affiliates, collocation, ISDN, Caller ID, 900-type services, AT&T's request for a change in regulatory treatment, pay telephone and alternative operator services, increased accessibility to the network by disabled persons, conduit rates charged by NET to cable companies, and quality of service.

Under her supervision, staff analyzed all telecommunications matters relating to the regulation of the then \$1.7-billion telecommunications industry in Massachusetts, including the review of all telecommunications tariff filings; petitions; cost, revenue, and quality of service data; and certification applications. As a member of the Telecommunications Staff Committees of the New England Conference of Public Utility Commissioners (NECPUC) and the National Association of Regulatory Utility Commissioners (NARUC), she contributed to the development of telecommunications policy on state, regional, and national levels.

As a budget analyst for the Massachusetts Department of Public Welfare, Ms. Baldwin forecast expenditures, developed low-income policy, negotiated contracts, prepared and defended budget requests, and monitored expenditures of over \$100 million.

Ms. Baldwin received Boston University's Dean's Fellowship. While attending the Kennedy School of Government, Ms. Baldwin served as a teaching assistant for a graduate course in microeconomics and as a research assistant for the school's Energy and Environmental Policy Center, and at Wellesley College was a Rhodes Scholar nominee. She has also studied in Ghent, Belgium.

### **Record of Prior Testimony**

In the matter of the Application of the New Jersey Bell Telephone Company for Approval of its Plan for an Alternative Form of Regulation, New Jersey Board of Regulatory Commissioners Docket No. T092030358, on behalf of the New Jersey Cable Television Association, filed September 21, 1992, cross-examined October 2, 1992.

DPUC review and management audit of construction programs of Connecticut's telecommunications local exchange carriers, Connecticut Department of Public Utility Control Docket No. 91-10-06, on behalf of the Connecticut Office of the Consumer Counsel, filed October 30, 1992, cross-examined November 4, 1992.

Joint petition of New England Telephone and Telegraph Company and Department of Public Service seeking a second extension of the Vermont Telecommunications Agreement, Vermont Public Service Board 5614, Public Contract Advocate, filed December 15, 1992, cross-examined December 21, 1992.

Application of the Southern New England Telephone Company to amend its rates and rate structure, Connecticut Department of Public Utility Control Docket No. 92-09-19, on behalf of the Connecticut Office of Consumer Counsel, filed March 26, 1993 and May 19, 1993, cross-examined May 25, 1993.

In the matter of the Application of Cincinnati Bell Telephone Company for Approval of an Alternative Form of Regulation and for a Threshold Increase in Rates, Public Utilities Commission of Ohio Case No. 93-432-TP-ALT, on behalf of Time Warner AxS, filed March 2, 1994.

Matters relating to IntraLATA Toll Competition and Access Rate Structure, Rhode Island Public Utilities Commission Docket 1995, on behalf of the Rhode Island Public Utilities Commission Staff, filed March 28, 1994 and June 9, 1994, cross-examined August 1, 1994.

In the Matter of the Application of The Ohio Bell Telephone Company for Approval of an Alternative Form of Regulation, Public Utilities Commission of Ohio Case No. 93-487-TP-ALT, on behalf of Time Warner AxS, filed May 5, 1994, cross-examined August 11, 1994.

In Re: Universal Service Proceeding: The Cost of Universal Service and Current Sources of Universal Service Support, Tennessee Public Service Commission Docket No. 95-02499, on behalf of Time Warner AxS of Tennessee, L.P., filed October 18, 1995 and October 25, 1995, cross-examined October 27, 1995.

In Re: Universal Service Proceeding: Alternative Universal Service Support Mechanisms, Tennessee Public Service Commission Docket No. 95-02499, on behalf of Time Warner AxS of Tennessee, L.P., filed October 30, 1995 and November 3, 1995, cross-examined November 7, 1995.

In the Matter of the Application of US West Communications, Inc. for Authority to Increase its Rates and Charge for Regulated Title 61 Services, Idaho Public Utilities Commission Case No. USW-S-96-5, on behalf of the Staff of the Idaho Public Utilities Commission, filed November 26, 1996 and February 25, 1997, cross-examined March 19, 1997.

A Petition by the Regulatory Operations Staff to Open an Investigation into the Procedures and Methodologies that Should Be Used to Develop Costs for Bundled or Unbundled Telephone Services or Service Elements in the State of Nevada, Nevada Public Service Commission Docket No. 96-9035, on behalf of AT&T Communications of Nevada, Inc., filed May 23, 1997, cross-examined June 6, 1997.

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture; Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, California Public Utilities Commission R.93-04-003 and I.93-04-002, co-authored a declaration on behalf of AT&T Communications of California, Inc., and MCI Telecommunications Corporation, filed on December 15, 1997 and on February 11, 1998.

Consolidated Petitions for Arbitration of Interconnection Agreements, Massachusetts Department of Telecommunications and Energy, DPU 96-73/74, 96-75, 96-80/81, 96-83, and 96-84, on behalf of AT&T Communications of New England, Inc. and MCI Telecommunications Corporation, filed February 3, 1998.

In the Matter of the Application of US West Communications, Inc. for Specific Forms of Price Regulation, Colorado Public Utilities Commission Docket No. 97-A-540T, on behalf of the Colorado Office of Consumer Counsel, filed on April 16, 1998, May 14, 1998 and May 27, 1998, cross-examined June 2, 1998.

Joint Application of SBC Communications and Southern New England Telecommunications Corporation for Approval of a Change of Control, Connecticut Department of Public Utility Control Docket No. 98-02-20, on behalf of the Connecticut Office of Consumer Counsel, filed May 7, 1998 and June 12, 1998, cross-examined June 15-16, 1998.

Fourth Annual Price Cap Filing of Bell Atlantic-Massachusetts, Massachusetts Department of Telecommunications and Energy Docket DTE 98-67, on behalf of MCI Telecommunications Corporation, filed September 11, 1998 and September 25, 1998, cross-examined October 22, 1998.

Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control, Federal Communications Commission CC Docket No. 98-141, co-sponsored affidavit on behalf of Indiana Utility Consumer Counselor, Michigan Attorney General, Missouri Public Counsel, Ohio Consumers' Counsel, Texas Public Utility Counsel and Utility Reform Network, filed on October 13, 1998.

In the Matter of the Joint Application of SBC Communications Inc., SBC Delaware, Inc., Ameritech Corporation and Ameritech Ohio for Consent and Approval of a Change of Control, Public Utilities Commission of Ohio Case No.98-1082-TP-AMT, on behalf of Ohio Consumers' Counsel, filed on December 10, 1998, cross-examined on January 22, 1999.

GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control, Federal Communications Commission CC Docket No. 98-184, co-sponsored an affidavit on behalf of a coalition of consumer advocates from Delaware, Hawaii, Maine, Maryland, Missouri, Ohio, Oregon, West Virginia, and Michigan, filed on December 18, 1998.

In the Matter of the Joint Application of GTE and Bell Atlantic to Transfer Control of GTE's California Utility Subsidiaries to Bell Atlantic, Which Will Occur Indirectly as a Result of GTE's Merger with Bell Atlantic, California Public Utilities Commission A. 98-12-005, on behalf of the California Office of Ratepayer Advocate, filed on June 7, 1999.

In the Matter of the Investigation on the Commission's Own Motion Into All Matters Relating to the Merger of Ameritech Corporation and SBC Communications Inc., Indiana Utility Regulatory Commission Cause No. 41255, on behalf of the Indiana Office of Utility Consumer Counselor, filed on June 22, 1999 and July 12, 1999, cross-examined July 20, 1999.

In re Application of Bell Atlantic Corporation and GTE Corporation for Approval of the GTE Corporation - Bell Atlantic Corporation Merger, Washington Utilities and Transportation Commission UT-981367, on behalf of the Washington Attorney General Public Counsel Section, filed on August 2, 1999.

Application of New York Telephone Company for Alternative Rate Regulation, Connecticut Department of Public Utility Control Docket No. 99-03-06, on behalf of the Connecticut Office of Consumer Counsel, filed October 22, 1999.

In re: Area Code 515 Relief Plan, Iowa Utilities Board Docket No. SPU-99-22, on behalf of Iowa Office of Consumer Advocate, filed November 8, 1999, and December 3, 1999, cross-examined December 14, 1999.

In re Application of MCI WorldCom, Inc. and Central Telephone Company - Nevada, d/b/a Sprint of Nevada, and other Sprint entities for Approval of Transfer of Control pursuant to NRS 704.329, Nevada Public Utilities Commission Application No. 99-12029, on behalf of the Nevada Office of the Attorney General, Bureau of Consumer Protection, filed April 20, 2000.

In re: Area Code 319 Relief Plan, Iowa Utilities Board Docket No. SPU-99-30, on behalf of Iowa Office of Consumer Advocate, filed June 26, 2000 and July 24, 2000.

In re: Sprint Communications Company, L.P. & Level 3 Communications, L.L.C., Iowa Utilities Board Docket Nos. SPU-02-11 & SPU-02-13, on behalf of Iowa Office of Consumer Advocate, filed October 14, 2002 and January 6, 2003, cross-examined February 5, 2003.

Illinois Bell Telephone Company filing to increase unbundled loop and nonrecurring rates (tariffs filed December 24, 2002), Illinois Commerce Commission Docket No. 02-0864, on behalf of Citizens Utility Board, filed May 6, 2003 and February 20, 2004.

Qwest Petition for Competitive Classification of Business Services, Washington Utilities and Transportation Commission Docket No. 030614, on behalf of Public Counsel, filed August 13, 2003 and August 29, 2003, cross-examined September 18, 2003.

In the Matter of the Application of CenturyTel of Northwest Arkansas, LLC for Approval of a General Change in Rates and Tariffs, Arkansas Public Service Commission Docket No. 03-041-U, on behalf of the Attorney General, filed October 9, 2003 and November 20, 2003.

In the Matter of the Board's Review of Unbundled Network Elements, Rates, Terms and Conditions of Bell Atlantic New Jersey, Inc., New Jersey Board of Public Utilities Docket No. TO00060356, on behalf of the New Jersey Division of the Ratepayer Advocate, filed January 23, 2004.

In the Matter of the Implementation of the Federal Communications Commission's Triennial Review Order, New Jersey Board of Public Utilities Docket No. TO03090705, on behalf of the New Jersey Division of the Ratepayer Advocate, filed February 2, 2004.

Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Local Exchange Carriers, Federal Communications Commission WC Docket No. 04-313, CC Docket No. 01-338, sponsored affidavit on behalf of the New Jersey Division of the Ratepayer Advocate, filed October 4, 2004.

Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Local Exchange Carriers, Federal Communications Commission WC Docket No. 04-313, CC Docket No. 01-338, sponsored affidavit on behalf of the Utah Committee of Consumer Services, filed October 4, 2004.

In the Matter of Verizon New Jersey, Inc. For a Revision of Tariff B.P.U.-N.J. – No. 2 Providing for a Revenue Neutral Rate Restructure Including a Restructure of Residence and Business Basic Exchange Service and Elimination of \$.65 Credit, New Jersey Board of Public Utilities Docket No. TT04060442, on behalf of the New Jersey Division of the Ratepayer Advocate, filed December 22, 2004 and January 18, 2005.

In the Matter of the Application of Verizon New Jersey, Inc. for Approval (I) of a New Plan for an Alternative Form of Regulation and (II) to Reclassify Multi-Line Rate Regulated Business Services as Competitive Services, and Compliance Filing, New Jersey Board of Public Utilities Docket No. TO01020095, on behalf of the New Jersey Division of the Ratepayer Advocate, filed January 10, 2005 and February 4, 2005.

Joint Petition of SBC Communications Inc. and AT&T Corp., Together with its Certificated Subsidiaries for Approval of Merger, New Jersey Board of Public Utilities Docket No. TM05020168, on behalf of the New Jersey Division of the Ratepayer Advocate, filed May 4, 2005 and June 1, 2005.

In the Matter of Verizon Communications Inc. and MCI, Inc., Applications for Approval of Transfer of Control, Federal Communications Commission WC Docket No. 05-75, co-sponsored affidavit on behalf of the New Jersey Division of the Ratepayer Advocate, filed on May 9, 2005.

In the Matter of the Application of Southwestern Bell Telephone, L.P., d/b/a SBC Arkansas to Set Rates for Unbundled Network Elements, Arkansas Public Service Commission Docket No. 04-109-U, on behalf of the Attorney General, filed May 27, 2005.

Joint Petition of Verizon Communications Inc. and MCI, Inc. for Approval of Merger, New Jersey Board of Public Utilities Docket No. TM05030189, on behalf of the New Jersey Division of the Ratepayer Advocate, filed July 8, 2005 and August 19, 2005.

In the Matter of Joint Petition of United Telephone Company of New Jersey, Inc. d/b/a Sprint and LTD Holding Company for Approval Pursuant to *N.J.S.A. 48:2-51* and *N.J.S.A. 48:3-10* of a change in Ownership and Control, New Jersey Board of Public Utilities Docket No. TM05080739, on behalf of the New Jersey Division of the Ratepayer Advocate, filed November 29, 2005.

In the Matter of the Board's Review of the Classification of Verizon New Jersey's Directory Assistance Services ("DAS") as Competitive and Associated Service Quality, Docket No. TX06010057, In the Matter of the Filing by Verizon New Jersey Inc. for the Reclassification of Existing Rate Regulated Services – Directory Assistance Services as Competitive, New Jersey Board of Public Utilities, Docket No. TT97120889, on behalf of the New Jersey Division of the Ratepayer Advocate, filed May 12, 2006.

In the Matter of AT&T Inc. and BellSouth Corporation Applications for Approval of Transfer of Control, Federal Communications Commission WC Docket No. 06-74, sponsored declaration with Sarah M.

Bosley on behalf of the New Jersey Division of the Ratepayer Advocate, filed June 5, 2006; sponsored declaration with Sarah M. Bosley and Timothy E. Howington on behalf of the New Jersey Division of Rate Counsel, October 3, 2006.

In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board, CC Docket No. 80-286, sponsored affidavit on behalf of the National Association of State Utility Consumer Advocates and the New Jersey Division of Rate Counsel, filed August 22, 2006.

In the Matter of the Board Investigation Regarding the Reclassification of Competitive Local Exchange Carrier (CLEC) Services as Competitive, New Jersey Board of Public Utilities Docket No. TX06120841, on behalf of the New Jersey Division of Rate Counsel, filed January 7, 2007, January 30, 2007, and February 20, 2007.

Verizon New England Inc., Bell Atlantic Communications, Inc., NYNEX Long Distance Company, Verizon Select Services Inc. and FairPoint Communications, Inc. Joint Petition for Authority to Transfer Assets and Franchise to FairPoint Communications, Inc., New Hampshire Public Utilities Commission Docket No. DT-07-011, on behalf of the Office of Consumer Advocate, filed August 1, 2007, cross-examined November 1, 2007.

In the Matter of the Commission's Investigation into Verizon Maryland, Inc.'s Affiliate Relationships, Maryland Public Service Commission Case No. 9120, on behalf of the Office of People's Counsel, filed October 29, 2007 and November 19, 2007, cross-examined November 28, 2007.

In the Matter of the Board Investigation Regarding the Reclassification of Incumbent Local Exchange Carrier (ILEC) Services as Competitive, New Jersey Board of Public Utilities Docket No. TX07110873, on behalf of the New Jersey Division of Rate Counsel, filed December 14, 2007, January 10, 2008.

In the Matter of Verizon Washington, DC Inc.'s Price Cap Plan 2007 for the Provision of Local Telecommunications Services in the District of Columbia, Public Service Commission of the District of Columbia Formal Case No. 1057, on behalf of the District of Columbia Office of People's Counsel, filed December 20, 2007, January 31, 2008.

In re Possible Extension of Board Jurisdiction over Single Line Flat-Rated Residential and Business Rates for Local Exchange Carriers, Iowa Utilities Board Docket No. INU-08-1, on behalf of Iowa Office of Consumer Advocate, filed March 17, 2008, April 28, 2008, cross-examined May 22, 2008.

Petition of the Office of Consumer Counsel for Enforcement of Quality of Service Standards for the Southern New England Telephone Company d/b/a AT&T Connecticut, Connecticut Department of Public Utility Control Docket No. 08-07-15, on behalf of the Communications Workers of America, Local 1298, filed January 30, 2009, cross-examined February 25, 2009.

In the Matter of the Board's Investigation and Review of Local Exchange Carrier Intrastate Exchange Access Rates, New Jersey Board of Public Utilities Docket No. TX08090830, on behalf of the New Jersey Division of Rate Counsel, filed February 13, 2009, April 20, 2009, and June 22, 2009, cross-examined October 20, 2009.

In the Matter of Appropriate Forms Of Regulating Telephone Companies, Maryland Public Service Commission, Case No. 9133, on behalf of the Communications Workers of America, filed June 1, 2009, October 16, 2009, October 30, 2009, cross-examined November 4, 2009.

Petition of the Office of Consumer Counsel for Enforcement of Quality of Service Standards for the Southern New England Telephone Company d/b/a AT&T Connecticut, Connecticut Department of Public Utility Control Docket No. 08-07-15PH02, on behalf of the Communications Workers of America, Local 1298, filed September 21, 2009.



In the Matter of the Application of Frontier Communications Corporation, New Communications Holdings, Inc. and Verizon Communications Inc. for Consent and Approval of a Change in Control, Public Utilities Commission of Ohio Case No. 09-454-TP-ACO, on behalf of the Communications Workers of America and International Brotherhood of Electrical Workers, Local 986, filed October 14, 2009.

Frontier Communications Corporation, Verizon Communications, Inc., Verizon North Inc., Verizon South Inc., New Communications of the Carolinas, Inc. Joint Application for the approval of a Reorganization, Illinois Commerce Commission Docket No. 09-0268, on behalf of the International Brotherhood of Electrical Workers, Locals 21, 51, and 702, filed October 20, 2009.

In re Verizon Service Quality in Western Massachusetts, Massachusetts Department of Telecommunications and Cable D.T.C. 09-1, on behalf of the Office of the Attorney General, filed November 9, 2009, February 24, 2010, cross-examined March 31, 2010, April 1, 2010, May 21, 2010.

Joint Application of Frontier Communications Corporation and Verizon West Virginia Inc. and certain affiliates for approval of the transfer of Verizon's local exchange and long distance business in West Virginia to companies to be owned and controlled by Frontier Communications Corporation, Public Service Commission of West Virginia Case No. 09-0871-T-PC, on behalf of the Communications Workers of America, AFL-CIO, filed November 16, 2009.

In the Matter of Qwest Communications Company and CenturyTel, Inc. for Approval of Control of Qwest Communications Company LLC, New Jersey Board of Public Utilities Docket No. TM10050343, on behalf of the New Jersey Division of Rate Counsel, filed September 23, 2010.

Petition of the North American Numbering Plan Administrator on behalf of the Pennsylvania Telecommunications Industry for Approval of Numbering Plan Area Relief Planning for the 814 NPA, Pennsylvania Public Utility Commission Docket No. P-2009-2112925, on behalf of the Pennsylvania Office of Consumer Advocate, filed May 23, 2011, cross-examined May 24, 2011.

In re Applications of AT&T, Inc. and Deutsche Telekom AG for Consent to the Transfer of Control of the Licenses and Authorizations Held by T-Mobile USA, Inc. and its Subsidiaries to AT&T Inc., WT Docket No. 11-65, File Nos. 0004669383, *et al.*, sponsored declarations on behalf of the New Jersey Division of Rate Counsel, May 31, 2011, and June 20, 2011.

In the Matter of Application of Cellco Partnership d/b/a Verizon Wireless and SpectrumCo LLC For Consent To Assign Licenses and Application of Cellco Partnership d/b/a Verizon Wireless and Cox TMI Wireless, LLC For Consent To Assign Licenses, WT Docket No. 12-4, sponsored declarations on behalf of the New Jersey Division of Rate Counsel, filed February 17, 2012, and March 26, 2012.

In the Matter of the Board's Investigation Regarding the Reclassification of Incumbent Local Exchange Carrier (ILEC) Services as Competitive – Phase II, New Jersey Board of Public Utilities Docket No. TX11090570, on behalf of the New Jersey Division of Rate Counsel, filed February 24, 2012, April 27, 2012, and June 11, 2012, cross-examined July 17, 2012.

Petition of David K. Ebersole, Jr. and the Office of Consumer Advocate for a Declaratory Order that Verizon Pennsylvania Inc. Has Not Met Its Legal Obligation to the Greensburg Bona Fide Retail Request Group Pursuant to Its Chapter 30 Plan, Pennsylvania Public Utility Commission Docket No. P-2012-2323362, affidavit on behalf of the Pennsylvania Office of Consumer Advocate, September 6, 2012.

In the Matter of Commission Consideration Of Effective Competition Areas and the Classification of Basic Local Exchange Service, Colorado Public Utilities Commission Proceeding Number 13M-0422T, Pursuant to 4 CCR 723-2-2213, answer testimony on behalf of AARP, December 6, 2013, cross-examined January 7, 2014.

PURA Establishment of Rules for Electric Suppliers and EDCs Concerning Operations and Marketing in the Electric Retail Market, Connecticut Public Utilities Regulatory Authority Docket No. 13-07-18, testimony and supplemental testimony on behalf of the Connecticut Office of Consumer Counsel, initial and supplemental testimony (with Helen E. Golding), March 10, 2014 and March 17, 2014, cross-examined March 27, 2014.

Joint Application of Frontier Communications Corporation and AT&T Inc. for Approval of a Change in Control, Connecticut Public Utilities Regulatory Authority Docket No. 14-01-46, testimony on behalf of the Connecticut Office of Consumer Counsel, May 23, 2014, cross-examined June 30, 2014.

The Utility Reform Network, Complainant vs. Pacific Bell Telephone Company D/B/A AT&T California (U1001C); AT&T Communications of California, Inc. (U5002C), Defendants, California Public Utilities Commission Case No. 13-12-005, Complaint of the Utility Reform Network Regarding Basic Service Rates of AT&T California (Public Utilities Code Section 1702; Commission Rule of Practice and Procedure 4.1(b)), December 6, 2013, initial and rebuttal testimony on behalf of the Utility Reform Network (TURN), August 22, 2014 and October 3, 2014.

Joint Petition of Verizon Pennsylvania LLC and Verizon North LLC for Competitive Classification of all Retail Services in Certain Geographic Areas, and for a Waiver of Regulation for Competitive Services, Pennsylvania PUC Docket Nos. P-2014-2446303 and P-2014-2446304, direct and surrebuttal testimony on behalf of Communications Workers of America and the International Brotherhood of Electrical Workers, November 14, 2014, and December 12, 2014, cross-examined December 16, 2014.

Joint Application of Comcast Corporation, Time Warner Cable Inc., Time Warner Cable Information Services (California), LLC, and Bright House Networks Information Services (California), LLC for Expedited Approval of Indirect Transfer of Control of Time Warner Cable Information Services (California), LLC, (U-68740-C); and The Pro Forma Transfer of Control of Bright House Networks Information Services (California), LLC (U-6955-C) to Comcast Corporation, Pursuant to Public Utilities Code Section 854(A), Application No. 14-04-013 (filed April 11, 2014), initial and reply testimony on behalf of the Utility Reform Network (TURN), December 3, 2014 and December 10, 2014.

In the Matter of the Joint Application of Frontier Communications Corporation, Frontier Communications of America, Inc. (U 5429 C), Verizon California Inc. (U 1002 C), Verizon Long Distance, LLC (U 5732), and Newco West Holdings LLC for Approval of Transfer of Control Over Verizon California Inc. and Related Approval of Transfer of Assets and Certifications (Filed March 18, 2015), Application 15-03-005, reply and supplemental testimony on behalf of the Utility Reform Network (TURN), July 28, 2015 and September 11, 2015.

Order Instituting Investigation to Assess the State of Competition Among Telecommunications Providers in California, and to Consider and Resolve Limited Rehearing of Decision (D.) 08-09-042, California Public Utilities Commission Investigation 15-11-007 (November 5, 2015), testimony on behalf of the Utility Reform Network (TURN), March 15, 2016, June 1, 2016 and July 15, 2016; participated in Expert Panel, July 20, 2016.

Pennsylvania Public Utility Commission Docket No. P-2015-2509336, Petition of Communications Workers of America for a Public, On-the-Record Commission Investigation of the Safety, Adequacy, and Reasonableness of Service Provided by Verizon Pennsylvania, LLC, direct testimony on behalf of Communications Workers of America, September 29, 2016.

Petition of the Maryland Office of People's Counsel for an Investigation into Verizon Maryland's Provision of Basic Local Phone Service Over Copper or Fiber Networks, affidavit on behalf of the Maryland Office of People's Counsel, January 13, 2017.

Iowa Utilities Board Docket No. INU-2016-0001, In re: Deregulation of Local Exchange Service, testimony on behalf of Office of Consumer Advocate, February 17, 2017 and April 21, 2017, cross-examined May 23, 2017.

New York Public Service Commission Case 16-C-0122, Proceeding on Motion of the Commission to Consider the Adequacy of Verizon New York Inc.'s Retail Service Quality Processes and Programs, testimony on behalf of the Communications Workers of America, March 24, 2017.

In the Matter of Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84, Notice of Proposed Rulemaking, Notice of Inquiry, and Request for Comment, FCC Rcd 3266, (rel. Apr. 21, 2017), declaration on behalf of the National Association of State Utility Consumer Advocates, Maine Office of the Public Advocate, Maryland Office of People's Counsel ("OPC"), New Jersey Division of Rate Counsel, Office of the Ohio Consumers' Counsel, Pennsylvania Office of Consumer Advocate and The Utility Reform Network, June 15, 2017.

New Jersey Board of Public Utilities Docket No. ER 17030308, In the Matter of the Petition of Atlantic City Electric Company for Approval of Amendments to its Tariff to Provide For an Increase in Rates and Charges for Electric Service Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, and for Other Appropriate Relief (2017), testimony on behalf of New Jersey Division of Rate Counsel, August 1, 2017.

Wyoming Public Service Commission Docket No. 700000-1644-TA-17, In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC for Determination that Basic Residential and Business Services Are Competitive Throughout All of CenturyLink QC's Zone 2 and Zone 3 Service Areas, testimony on behalf of AARP, November 15, 2017, cross-examined December 11, 2018.

Washington Utilities & Transportation Commission Docket UT-171082, CenturyLink's Obligations Under the Commission's Line Extension Rules, testimony on behalf of Public Counsel, June 1, 2018 and July 3, 2018.

New Jersey Board of Public Utilities Docket Nos. ER18010029 and GR18010030, In the Matter of the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 16 Electric and B.P.U.N.J. No. 16 Gas, and for Changes in Depreciation Rates Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1 and for Other Appropriate Relief, testimony on behalf of New Jersey Division of Rate Counsel, August 6, 2018.

Washington Utilities & Transportation Commission, Docket UT-180831, Rulemaking to Consider Possible Changes to Rules in Chapter 480-120 WAC, Relating to Service Obligations of Telephone Companies, assisted with the preparation of Comments of Public Counsel, December 7, 2018, participated in technical conference on behalf of Public Counsel, January 17, 2019.

In the Matter of the Petition of the Maryland Office of People's Counsel for an Investigation into Verizon Maryland's Provision of Basic Local Phone Service Over Copper or Fiber Networks - ML#210061, Report on behalf of Maryland Office of People's Counsel, February 8, 2019.

Connecticut Public Utilities Regulatory Authority Docket No. 18-06-02, Review of Feasibility, Costs, and Benefits of Placing Certain Customers on Standard Service Pursuant to Conn. Gen. Stat. § 16-245o(m), testimony on behalf of Connecticut Office of Consumer Counsel, February 27, 2019, cross-examined July 18, 2019.

New Mexico Public Regulation Commission Case No. 18-00295-UT, In the Matter of the Petition of CenturyLink CQ Regarding Effective Competition for Retail Residential Services, testimony on behalf of CWA, April 15, 2019, cross-examined September 25-26, 2019.

New Jersey Board of Public Utilities Docket No. ER19050552, In the Matter of the Verified Petition of Rockland Electric Company for Approval of Changes in Electric Rates, Its Tariff for Electric Service, and Its Depreciation Rates, and for Other Relief, testimony on behalf of New Jersey Division of Rate Counsel, October 11, 2019.

Washington Utilities and Transportation Commission Dockets UE-190529 and UG-190530 (Consolidated), Washington Utilities and Transportation Commission v. Puget Sound Energy, response testimony on behalf of Public Counsel, November 22, 2019.

Washington Utilities and Transportation Commission Docket No. UT-190209, Washington Utilities and Transportation Commission v. Qwest Corporation d/b/a CenturyLink QC, testimony on behalf of Public Counsel, January 9, 2020 and February 13, 2020.

Maryland Public Service Commission Case No. 9613, In the Matter of the Complaint by the Staff of the Public Service Commission v. SmartEnergy Holdings LLC, testimony on behalf of Maryland Office of People's Counsel, January 31, 2020 and July 8, 2020.

Maryland Public Service Commission Case No. 9615, In the Matter of the Complaint by the Staff of the Public Service Commission v. U.S. Gas & Electric Services Providers, Inc., d/b/a Maryland Gas & Electric, testimony on behalf of Maryland Office of People's Counsel, February 14, 2020, March 27, 2020, February 5, 2021, and March 19, 2021.

Maryland Public Service Commission Case No. 9614, In the Matter of the Complaint by the Staff of the Public Service Commission v. Direct Energy Services, LLC testimony on behalf of Maryland Office of People's Counsel, March 6, 2020, February 12, 2021, March 19, 2021, and May 5, 2021.

Maryland Public Service Commission Case No. 9624, In the Matter of the Complaint by the Staff of the Public Service Commission Atlantic Energy MD, LLC, testimony on behalf of Maryland Office of People's Counsel, October 15, 2020, February 22, 2021, and March 17, 2021.

New Jersey Board of Public Utilities Docket No. GM22040270, In the Matter of the Merger of South Jersey Industries, Inc. and Boardwalk Merger Sub Inc., testimony on behalf of New Jersey Division of Rate Counsel, December 2, 2022.

Pennsylvania Public Utility Commission Docket No. C-2023-3037574, Office of Consumer Advocate and Office of Small Business Advocate v. Commonwealth Telephone Company, LLC d/b/a Frontier Communications Commonwealth Telephone Company, testimony on behalf of the Office of Consumer Advocate and the Office of Small Business Advocate, July 19, 2023 and October 5, 2023.

*Testimony before State Legislatures:*

Testified on September 24, 1997, before the Massachusetts State Legislature Joint Committee on Government Regulations regarding House Bill 4937 (concerning area codes).

Testified on March 2, 2010, before the Maryland State Legislature Senate Finance Committee regarding Senate Bill 677 (concerning Telephone Landline Sale Bill).

Testified on March 11, 2010, before the Maryland State Legislature House Economic Matters Committee regarding House Bill 937 (concerning Telephone Landline Sale Bill).

Testified on June 25, 2013, on behalf of AARP, before the Ohio Select Committee on Telecommunications Regulatory Reform (regarding SB 162).

Testified on December 12, 2013, on behalf of AARP, before the Pennsylvania House Consumer Affairs Committee (regarding House Bill 1608).

### **Reports/Publications/Presentations**

Expert reports in tax matters, reports and publications on telecommunications and energy policy in trade journals, and presentations at industry associations and conferences include the following:

#### *Expert reports in tax matters:*

Iowa Department of Inspections and Appeals, In the Matter of Cable One, Inc. v. Iowa Department of Revenue, DIA 10DORFC014, SBTR Nos. 899 and 903, Property Tax Assessment, Expert Report, January 21, 2011 (on behalf of the Iowa Department of Revenue), deposited February 9, 2011.

Level 3 Communications, LLC. v. Arizona Department of Revenue; Coshise County; Graham County; Greenlee County; La Paz County; Maricopa County; Mohave County; Pima County, Pinal County and Yuma County, Superior Court of the State of Arizona in the Arizona Tax Court, No. TX-2007-000594, Expert Report, May 20, 2011 (on behalf of the Arizona Department of Revenue), deposited July 14, 2011; cross-examined August 24, 2012.

Bresnan Communications, LLC, Plaintiff, v. State of Montana Department of Revenue, Defendant, Cause No. DV-10-1312, July 5, 2011 (on behalf of the Montana Department of Revenue), deposited July 29, 2011.

Verizon California Inc., Plaintiff, v. California Board of Equalization, Defendants, December 18, 2015 (on behalf of the California Board of Equalization), deposited January 20, 2016.

#### *Reports and Publications:*

“Consumers Continue to Lose Big: the 2023 Update to An Analysis of the Individual Residential Electric Supply Market in Massachusetts,” prepared for the Massachusetts Attorney General’s Office, with Timothy E. Howington, May 2023

“Are Connecticut’s Residential Third-Party Supply Rates Just and Reasonable?” prepared by Susan M. Baldwin, on behalf of Connecticut Office of Education, Outreach, & Enforcement for Docket No. 18-06-02RE01, February 9, 2023.

“Reform of Electricity Supply: CEP-Served Residential Retail Electric Market,” with Timothy E. Howington, on behalf of Maine Office of Public Advocate, January 13, 2023.

“Are Consumers Benefiting from Competition? An Analysis of the Individual Residential Electric Supply Market in Massachusetts: 2021 Update,” prepared for Massachusetts Attorney General’s Office, March 2021.

“Are Consumers Benefiting from Competition? An Analysis of the Individual Residential Electric Supply Market in Massachusetts,” prepared for Massachusetts Attorney General’s Office, July 2019 Update.

“Residential energy supply market: Unmet promises and needed reforms” (with Frank A. Felder), *The Electricity Journal*, 32 (2019) 31–38.

“Maryland’s Residential Electric and Gas Supply Markets: Where Do We Go from Here?” (with Sarah

M. Bosley), prepared for the Maryland Office of People's Counsel, November 2018.

"Are Consumers Benefiting from Competition? An Analysis of the Individual Residential Electric Supply Market in Massachusetts" (with Sarah M. Bosley), prepared for the Massachusetts Attorney General's Office, March 29, 2018.

"The Cable-Telco Duopoly's Deployment of New Jersey's Information Infrastructure: Establishing Accountability" (with Sarah M. Bosley and Timothy E. Howington). Prepared for the Public Advocate of New Jersey, January 19, 2007.

"Assessing SBC/Pacific's Progress in Eliminating Barriers to Entry: The Local Market in California Is Not Yet 'Fully and Irreversibly Open'" (with Patricia D. Kravtin, Dr. Lee L. Selwyn, and Douglas S. Williams). Prepared for the California Association of Competitive Telecommunications Companies, July 2000.

"Where Have All the Numbers Gone? (Second Edition): Rescuing the North American Numbering Plan from Mismanagement and Premature Exhaust" (with Dr. Lee L. Selwyn). Prepared for the Ad Hoc Telecommunications Users Committee, June 2000.

"Price Cap Plan for USWC: Establishing Appropriate Price and Service Quality Incentives for Utah" (with Patricia D. Kravtin and Scott C. Lundquist). Prepared for the Utah Division of Public Utilities, March 22, 2000.

"Telephone Numbering: Establishing a Policy for the District of Columbia to Promote Economic Development" (with Douglas S. Williams and Sarah C. Bosley). Prepared for the District of Columbia Office of People's Counsel, February 2000 (submitted to Eric W. Price, Deputy Mayor, April 6, 2000).

"The Use of Cost Proxy Models to Make Implicit Support Explicit, Assessing the BCPM and the Hatfield Model 3.1" (with Dr. Lee L. Selwyn). Prepared for the National Cable Television Association, submitted in FCC CC Docket No. 96-45, March 1997.

"The Use of Forward-Looking Economic Cost Proxy Models" (with Dr. Lee L. Selwyn). Prepared for the National Cable Television Association, submitted in FCC Docket No. CCB/CPB 97-2, February 1997.

"Continuing Evaluation of Cost Proxy Models for Sizing the Universal Service Fund, Analysis of the Similarities and Differences between the Hatfield Model and the BCM2" (with Dr. Lee L. Selwyn). Prepared for the National Cable Television Association, submitted in FCC CC Docket No. 96-45, October 1996.

"Converging on a Cost Proxy Model for Primary Line Basic Residential Service, A Blueprint for Designing a Competitively Neutral Universal Service Fund" (with Dr. Lee L. Selwyn). Prepared for the National Cable Television Association, submitted in FCC CC Docket No. 96-45, August 1996.

"The Phone Wars and How to Win Them" (with Helen E. Golding). *Planning*, July 1996 (Volume 62, Number 7).

"The BCM Debate, A Further Discussion" (with Dr. Lee L. Selwyn and Helen E. Golding). Prepared for the National Cable Television Association, submitted in FCC CC Docket No. 96-45, May 1996.

"The Cost of Universal Service, A Critical Assessment of the Benchmark Cost Model" (with Dr. Lee L. Selwyn). Prepared for the National Cable Television Association, submitted in FCC CC Docket No. 96-45, April 1996.

"Funding Universal Service: Maximizing Penetration and Efficiency in a Competitive Local Service Environment" (with Dr. Lee L. Selwyn). Prepared for Time Warner Communications, Inc., October 1995.

“A Balanced Telecommunications Infrastructure Plan for New York State” (with Dr. Lee L. Selwyn). Prepared for the New York User Parties, December 4, 1992.

“A Roadmap to the Information Age: Defining a Rational Telecommunications Plan for Connecticut” (with Dr. Lee L. Selwyn, Susan M. Gately, JoAnn S. Hanson, David N. Townsend, and Scott C. Lundquist). Prepared for the Connecticut Office of Consumer Counsel, October 30, 1992.

“ISDN Rate-Setting in Massachusetts.” *Business Communications Review*, June 1992 (Volume 22, No. 6).

“Analysis of Local Exchange Carrier April 1988 Bypass Data Submissions” (with William P. Montgomery and Dr. Lee L. Selwyn). Prepared for the National Association of State Utility Consumer Advocates, August 1988.

“Tariff Data is Critical to Network Management.” *Telecommunications Products and Technology*, May 1988 (Volume 6, No. 5).

“Strategic Planning for Corporate Telecommunications in the Post-Divestiture Era: A Five Year View” (with Dr. Lee L. Selwyn, William P. Montgomery, and David N. Townsend). Report to the International Communications Association, December 1986.

“Competitive Pricing Analysis of Interstate Private Line Services.” Prepared for the National Telecommunications Network, June 1986.

“Analysis of Diamond State Telephone Private Line Pricing Movements: 1980-1990.” Prepared for Network Strategies, Inc., April 1985.

“Analysis of New York Telephone Private Line Pricing Movements: 1980-1990.” Prepared for Network Strategies, Inc., February 1985.

“Auction Methods for the Strategic Petroleum Reserve” (With Steven Kelman and Richard Innes). Prepared for Harvard University Energy Security Program, July 1983.

“How Two New England Cities Got a \$100 Million Waste-to-Energy Project” (with Diane Schwartz). *Planning*, March 1983 (Volume 49, Number 3).

“Evaluation of Economic Development and Energy Program in Lawrence, Massachusetts.” (with Richard Innes). Prepared for U.S. Department of Energy, August, 1982.

“Energy Efficiency in New England’s Rental Housing.” New England Regional Commission, 1981.

“Low Level Radioactive Waste Management in New England.” New England Regional Commission, 1981.

“The Realtor's Guide to Residential Energy Efficiency.” Prepared for the U.S. Department of Energy and the National Association of Realtors, 1980.

#### *Presentations:*

“Telecom Committee Panel: Like the Phoenix, Telecommunication Service Quality Issues are Rising Again,” National Association of State Utility Consumer Advocates Annual Meeting, San Antonio, Texas, November 19, 2019.

“Retail Supplier Abuses and High Prices for Consumers: Does Retail Choice Still Make Sense?” 2019 National Association of State Utility Consumer Advocates Mid-Year Meeting, Portland, Oregon, June 21, 2019.

“The Battle for Net Neutrality,” lecture in “Methods of Policy Analysis,” MIT Department of Urban

Studies & Planning, May 7, 2018.

“Discussion of Massachusetts Report,” Presentation to Nevada Governor’s Committee on Energy Choice, Technical Working Group on Consumer Protection, April 20, 2018.

“Back to Basics: What Specific Consumer Protections Are Still Needed in Telecommunications Regulation?,” Presentation at the Mid-Atlantic Conference of Regulatory Utilities Commissioners 21st Annual Education Conference, Williamsburg, Virginia, June 23, 2016.

“The Three Rs: The Need for Reliable, Redundant and Resilient Telecommunications in the New Age,” 2015 National Association of State Utility Consumer Advocates Annual Meeting, Austin, Texas, November 9, 2015.

“Telecommunications in Transition: Advocating for 50+ Consumers in the Brave New World,” Presentation at AARP’s State Advocacy and Strategy Integration conference on “State Regulatory and Legislative Landscapes,” Portland, Oregon, September 16, 2014.

“What the IP Transition Means for Consumers and a Ubiquitous, Affordable, Reliable National Communications System,” 2014 National Association of State Utility Consumer Advocates Mid-Year Meeting, Santa Fe, New Mexico, June 2, 2014.

“For Sale - The National Wireline Communications System,” 2014 National Association of State Utility Consumer Advocates Mid-Year Meeting, Santa Fe, New Mexico, June 3, 2014.

“FCC Review of Verizon’s Section 214 Application and Its Implications for the IP Transition,” NASUCA Annual Meeting, Orlando, Florida, November 19, 2013.

“What gets lost in the IP Transition?” NASUCA Annual Meeting, Orlando, Florida, November 18, 2013.

“Service Outage and Restoration,” NARUC Staff panel, NARUC 125<sup>th</sup> Annual Meeting, Orlando, Florida, November 16, 2013.

“You Don’t Know What You’ve Got Til It’s Gone – Utilities Consumer Protections,” Presentation at AARP’s State Advocacy and Strategy Integration conference on “Fighting for Consumers,” Minneapolis, Minnesota, September 19, 2013.

“Protecting Consumers’ Assets and Income,” Presentation at the National Association of Latino Elected and Appointed Officials Policy Institute on “The Changing Dynamics of the Latino 50+ Population,” Albuquerque, New Mexico, August 25, 2013.

“Federalism in the 21<sup>st</sup> Century,” Presentation at the Mid-Atlantic Conference of Regulatory Utilities Commissioners 18th Annual Education Conference, Hershey, Pennsylvania, June 24, 2013.

“Trials for the Transition from TDM to IP,” Presentation at the New England Conference of Public Utilities Commissioners 66th Annual Symposium, Groton, Connecticut, June 11, 2013.

“The 1996 Telecom Act Today: Universal, affordable, reliable access to telecommunications for all. Does the federal-state partnership still exist?” AARP Telecommunications Summit, Pew Center for Charitable Trusts, Washington, DC, July 18, 2012.

“Issues and Ramifications Arising From the FCC’s Connect America Fund Order Affecting High Cost Universal Service and Intercarrier Compensation,” 2012 National Association of State Utility Consumer Advocates Mid-Year Meeting, Charleston, South Carolina, June 24, 2012.

“FCC Lifeline/Link Up Reform Order – What will it mean for regulators, consumers, and companies?” Presentation at the Mid-America Regulatory Conference, Des Moines, Iowa, June 11, 2012.



“Improving the Separations Process: Consumer Impact,” panelist for Federal-State Joint Board on Separations on behalf of the National Association of State Utility Consumer Advocates and the New Jersey Division of Rate Counsel, September 24, 2010, CC Docket No. 80-286, Washington, DC.

“The Evolving Role of State Regulation in a Changing Industry,” Presentation at the New England Conference of Public Utilities Commissioners 63th Annual Symposium, Brewster, Massachusetts, May 17, 2010.

“Broadband: Where it is, where it ain’t, and where it oughta be,” June 29, 2009, National Association of State Utility Consumer Advocates Mid-Year Meeting, Boston, Massachusetts.

“Deregulation and Price Increases: The Hallmarks of a Competitive Market?” November 18, 2008; 2008 National Association of State Utility Consumer Advocates Annual Meeting, New Orleans, Louisiana.

“Forbearance: What is it? What’s wrong with it? How to fix it,” November 12, 2007; “Net Neutrality – Not Dead Yet!,” November 13, 2007; 2007 National Association of State Utility Consumer Advocates Annual Meeting, Anaheim, California.

“FCC’s Regulatory Stance – Consumer Advocates’ Role More Important Than Ever,” 2005 National Association of State Utility Consumer Advocates Winter Meeting, March 2, 2005, Washington, D.C.

“Impact of Federal Regulatory Developments on Consumers and Consumers’ Impact on Regulatory Developments,” Presentation for the Washington Attorney General’s Office, Seattle, Washington, May 27, 2003.

“The Finances of Local Competition” Presentation at the New England Conference of Public Utilities Commissioners 54th Annual Symposium, Mystic, Connecticut, May 21, 2001.

“Facilities-Based Competition” Presentation at the New England Conference of Public Utilities Commissioners 52nd Annual Symposium, Bretton Woods, New Hampshire, May 24, 1999.

“Exploring Solutions for Number Exhaust on the State Level” and “A Forum for Clarification and Dialogue on Numbering Ideas,” ICM Conference on Number Resource Optimization, New Orleans, Louisiana, December 10-11, 1998.

“Telecommunications Mergers: Impact on Consumers,” AARP Legislative Council 1998 Roundtable Meeting, Washington, D.C., November 18, 1998.

“Consumer Perspectives on Incumbent Local Exchange Carrier Mergers,” National Association of Regulatory Utility Commissioners 110th Annual Convention, Orlando, Florida, November 11, 1998.

Federal Communications Commission En Banc Hearing on “Proposals to Revised the Methodology for Determining Universal Service Support,” CC Docket Nos. 96-45 and 97-160,” June 8, 1998, panelist.

“Universal Service: Real World Applications,” 1997 National Association of State Utility Consumer Advocates Mid-Year Meeting, Charleston, South Carolina, June 9, 1997.

“Modeling operating and support expenses” and “Modeling capital expenses,” panelist for Federal-State Joint Board on Universal Service Staff Workshops on Proxy Cost Models, January 14-15, 1997, CC Docket 96-45.

“Evaluating the BCM2: An Assessment of Its Strengths and Weaknesses,” presentation to the AT&T Cost Team (with Michael J. DeWinter), December 4, 1996.

“Interpreting the Telecommunications Act of 1996 Mandate for the Deployment of Advanced Telecommunications Services in a Fiscally Responsible and Fully Informed Manner” (with Helen E. Golding), *Proceedings of the Tenth NARUC Biennial Regulatory Information Conference*, Volume 3,

September 11-13, 1996.

“Making Adjustments to the BCM2.” Presentation to the Staff of the Federal-State Joint Board on Universal Service, September 16, 1996.

“Converging on a Model: An Examination of Updated Benchmark Cost Models and their Use in Support of Universal Service Funding.” Presentation to the National Association of Regulatory Utility Commissioners Summer Committee Meetings, July 22, 1996.

“ETI's Corrections to and Sensitivity Analyses of the Benchmark Cost Model.” Presentation to the Staff of the Federal-State Joint Board on Universal Service,” May 30, 1996.

“Redefining Universal Service.” Presentation at the *Telecommunications Reports* conference on “Redefining Universal Service for a Future Competitive Environment,” Washington, D.C., January 18, 1996.

“Funding Universal Service: Maximizing Penetration and Efficiency in a Competitive Local Service Environment,” (with Lee L. Selwyn, under the direction of Donald Shephard), a Time Warner Communications Policy White Paper, September 1995.

“Stranded Investment and the New Regulatory Bargain,” (with Lee L. Selwyn, under the direction of Donald Shephard), a Time Warner Communications Policy White Paper, September 1995.

“New Frontiers in Regulation.” Presentation to the New England Women Economists Association, December 12, 1995.

“Local Cable and Telco Markets.” Presentation at the New England Conference of Public Utilities Commissioners 46th Annual Symposium, Dixville Notch, New Hampshire, June 29, 1993.

“Relationship of Depreciation to State Infrastructure Modernization.” Presentation at the *Telecommunications Reports* conference on “Telecommunications Depreciation,” Washington, D.C., May 6, 1993.

“Crafting a Rational Path to the Information Age.” Presentation at the State of New Hampshire's conference on the “Twenty-First Century Telecommunications Infrastructure,” Durham, New Hampshire, April 1993.

“The Political Economics of ISDN,” presentation at the John F. Kennedy School of Government seminar on “Getting from Here to There: Building an Information Infrastructure in Massachusetts,” March 1993.

“The New Competitive Landscape: Collocation in Massachusetts.” Presentation at TeleStrategies Conference on Local Exchange Competition, Washington, D.C., November 1991.

“Telecommunications Policy Developments in Massachusetts.” Presentations to the Boston Area Telecommunications Association, October 1989; March 1990; November 1990; June 1992. Presentation to the New England Telecommunications Association, March 1990.

“How to Capitalize on the New Tariffs.” Presentation at Communications Managers Association conference, 1988.

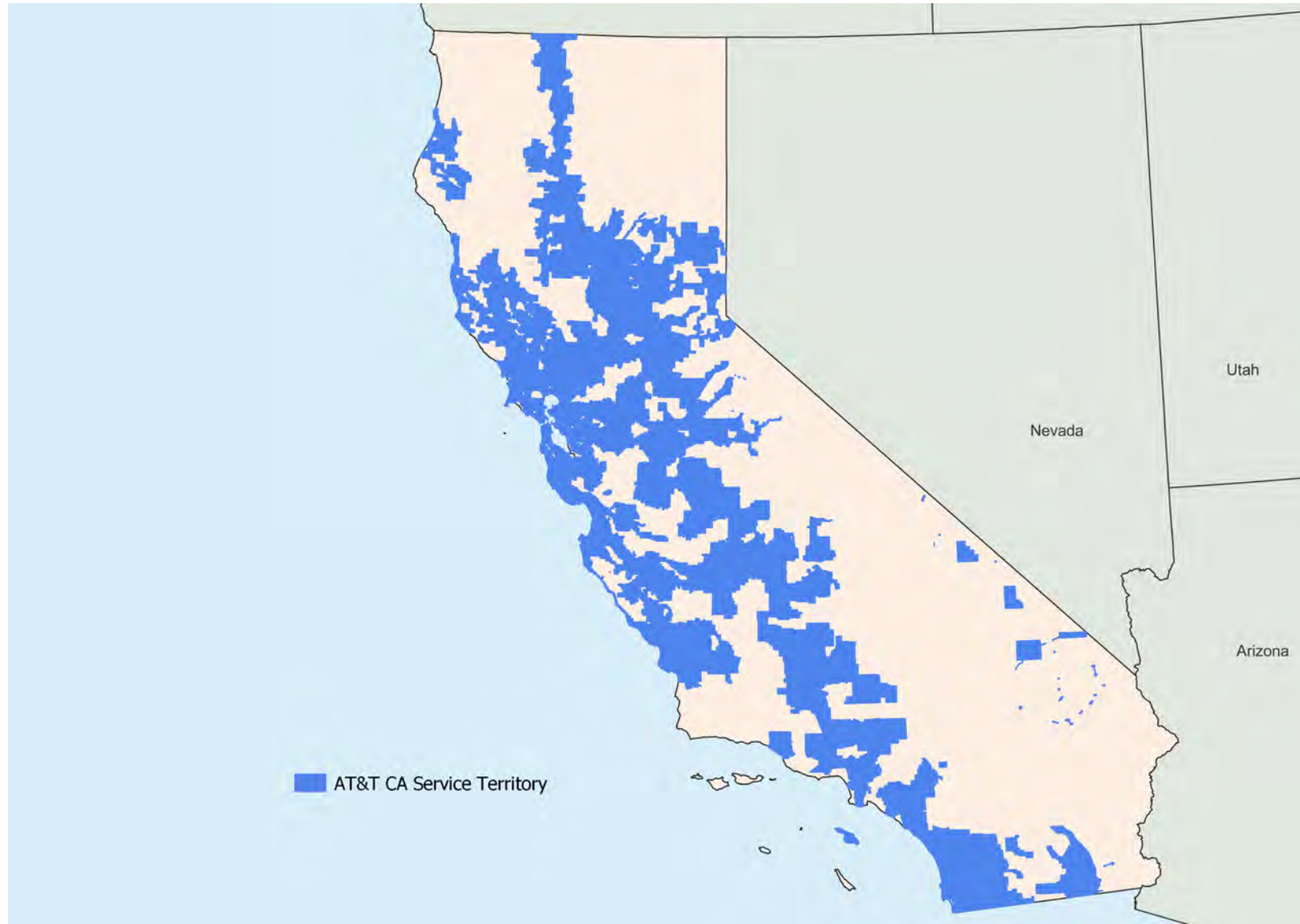
*Advisor to:*

United States General Accounting Office Report to the Subcommittee on Antitrust, Business Rights and Competition, Committee on the Judiciary, U.S. Senate, *Characteristics and Competitiveness of the Internet Backbone Market*, GAO-02-16, October 2001.

# EXHIBIT SMB-1

## AT&T's Service Territory in California

Exhibit SMB-1  
Application 23-03-002

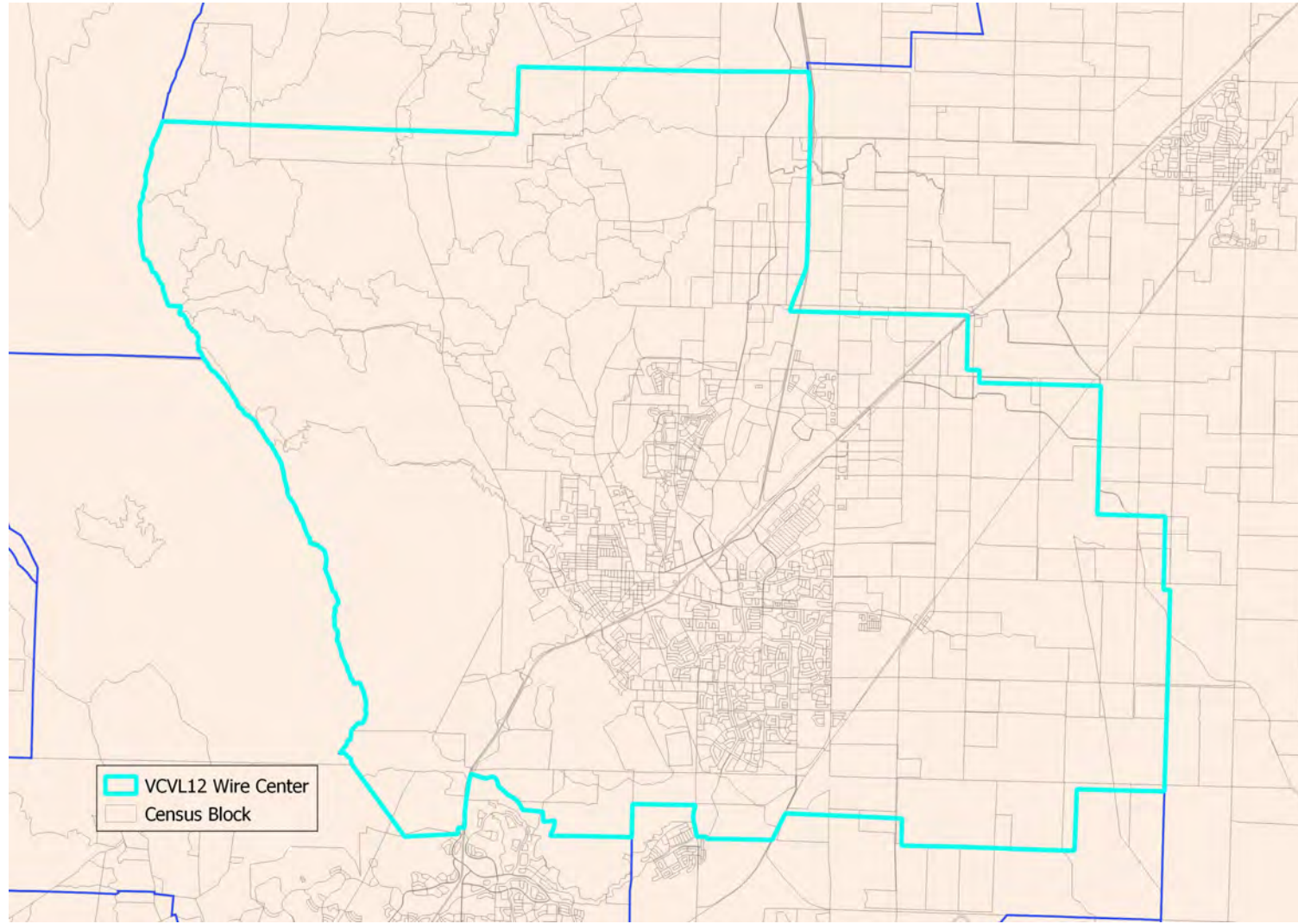


Sources: Wire Centers: AT&T  
Confidential response to TURN  
1-4, ATTCA-CPUC-  
ETC00001330 (reproduced as  
Confidential Exhibit SMB-7);  
State Boundaries:  
[https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip).

# EXHIBIT SMB-2

## Illustrative Wire Center and Census Blocks

Exhibit SMB-2  
Application 23-03-002



Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip); Population: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6).

This wire center contains 1,356 Census Blocks with a total population of over 108,000.

# EXHIBIT SMB-3

**Data Request No. 002-5:**

In response to TURN's DR 1-2, AT&T California listed ETCs in Exhibit B, spreadsheet labeled "ATTCA-CPUC-ETC00001327"; AT&T California notes that it defines "Disadvantaged Community" using the SB 535 definition (<https://oehha.ca.gov/calenviroscreen/sb535>). The CPUC's Environmental Social Justice Action Plan 2.0 (<https://www.cpuc.ca.gov/ESJactionplan/>) defines Environmental and Social Justice Communities as those including: (a) Disadvantaged Communities as defined by SB 535; (b) All Tribal lands, including all California-recognized Tribes; (c) Low-income households (defined as having household incomes below 80 percent of the area median income); and (d) Low-income census tracts (defined as census tracts where aggregated household incomes are less than 80 percent of the area or state median income). Please identify any census block in spreadsheet labeled "ATTCA-CPUC-ETC00001327" that meets the CPUC's definition of Environmental and Social Justice Communities.

**AT&T California Response to Data Request No. 5:**

AT&T California objects that this request is not relevant. Under Section 214(e)(4) of the Communications Act,<sup>2</sup> an ETC relinquishment application "shall be granted" in areas with other ETCs, regardless of the demographic composition of those areas.

Nevertheless, in the accompanying production, AT&T California provides Attachment 5.1 hereto in response to this request. Attachment 5.1 consists of two tabs of output plus two tabs of underlying data. The tab titled "Table" identifies in Column A each census block in the spreadsheet labeled "ATTCA-CPUC-ETC00001327." For each such census block, Column B identifies the census tract in which it is located; Column C identifies the county in which it is located; Column D identifies the population; Column E indicates whether it overlaps with a Disadvantaged Community as defined by SB 535; Column F provides the percentage of the census block that overlaps with a Disadvantaged Community;<sup>3</sup> Column H<sup>4</sup> indicates whether it overlaps with tribal lands as identified using the Census TIGER Tribal Block Group national shapefiles;<sup>5</sup> Column I provides the percentage of the census block that overlaps with tribal lands as identified using the Census TIGER Tribal Block Group national shapefiles;<sup>6</sup> Column J

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<sup>2</sup> 47 U.S.C. § 214(e)(4).

<sup>3</sup> Whether the census block overlaps with a Disadvantaged Community and the percentage overlap previously were identified in Attachment B to *Pac. Bell Tel. Co. d/b/a AT&T Cal.'s (U 1001 C) Response to the Motion to Dismiss of The Util. Reform Network & Ctr. for Accessible Tech.*, Appl. 23-03-002 (filed May 23, 2023).

<sup>4</sup> Column G is blank.

<sup>5</sup> See U.S. Census Bureau, *2020 TIGER/Line Shapefiles: Technical Documentation* § 4.1.5, at 4-18 to 4-19 (2021), [https://www2.census.gov/geo/pdfs/maps-data/data/tiger/tgrshp2020/TGRSHP2020\\_TechDoc.pdf](https://www2.census.gov/geo/pdfs/maps-data/data/tiger/tgrshp2020/TGRSHP2020_TechDoc.pdf).

<sup>6</sup> For purposes of excluding tribal lands from ETC service areas when required to conform to the CPUC's designation, Compass Lexecon has deemed a census block to be within tribal lands if at least 50 percent of the census block's area overlaps tribal lands defined by the shapefiles.



provides the household median income for the census tract where the census block is located; Column K provides the household median income for California; Column L has a flag taking the value “Y” for census blocks for which the household median income for the census tract (Column J) is less than or equal to 80 percent of the household median income for California (Column K); Column M provides the household median income for the county where the census block is located; and Column N has a flag taking the value “Y” for census blocks for which the household median income for the census tract (Column J) is less than or equal to 80 percent of the household median income for the county (Column M). The tab titled “Sources” provides definitions and sources for the columns in the tab titled “Table.”

Attachment 5.1 reports data for lands of federally recognized tribes.<sup>7</sup> Data Request No. 002-5 asks for the census blocks that meet the definition of Environmental and Social Justice Communities (“ESJ Communities”) in the CPUC’s Environmental & Social Justice Action Plan Version 2.0 (“ESJ Action Plan”). The request identifies the ESJ Community of “All Tribal lands” as including the lands of “all California-recognized Tribes.”

However, the ESJ Action Plan limits “All Tribal lands” included within the definition of ESJ Communities to lands of federally recognized tribes. Specifically, footnote 3 defines “All Tribal lands” as “Land within any Indian reservation as defined in 18 U.S.C. 1151 subsection (a).”<sup>8</sup> While footnote 22 offers an acceptable substitute: “Can utilize definition of ‘California Indian Country’ <https://www.courts.ca.gov/8710.htm>,”<sup>9</sup> that definition of “California Indian Country” aligns with subsections (b) and (c) of 18 U.S.C. § 1151. Therefore, both the definition of “All Tribal lands” in the ESJ Action Plan and the acceptable substitute are limited to federally recognized tribes and do not include lands of California-recognized tribes. Attachment 5.1 is consistent with the ESJ Action Plan with respect to tribal lands.

Although the ESJ Action Plan definition of “All Tribal lands” does not extend to California-recognized tribes, AT&T California attempted to identify those tribes and obtain mapping data for their lands.<sup>10</sup> AT&T California could not identify reliable and usable mapping data for non-federally recognized tribal lands in California through reasonable internet searches.<sup>11</sup>

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<sup>7</sup> The Census Bureau’s definition of Tribal Block Groups corresponds to the definitions in 18 U.S.C. § 1151(a), (c). *See Glossary*, U.S. Census Bureau, [https://www.census.gov/programs-surveys/geography/about/glossary.html#par\\_textimage\\_26](https://www.census.gov/programs-surveys/geography/about/glossary.html#par_textimage_26) (last visited Nov. 8, 2023).

<sup>8</sup> Cal. Pub. Utils. Comm’n, *Environmental & Social Justice Action Plan Version 2.0*, at 2 n.3 (2022) (“ESJ Action Plan”), <https://www.cpuc.ca.gov/ESJactionplan/>.

<sup>9</sup> *Id.* at 12 n.22.

<sup>10</sup> The contact list of California Native American tribes maintained by the California Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004, *see* Cal. Civ. Code § 815.3; Cal. Gov’t Code §§ 65092, 65352, 65352.3, is not available on the Native American Heritage Commission’s website.

<sup>11</sup> In order to identify overlaps at the census block level, it would be necessary to have GIS shapefiles of the lands of state-recognized tribes or a list of census blocks (or data translatable into census blocks) included in the lands of state-recognized tribes.

With respect to the low-income prongs of the ESJ Communities definition (prong (c) covering low-income households and prong (d) covering low-income census tracts), AT&T California provides data in Attachment 5.1 regarding census blocks located in low-income census tracts. The ESJ Action Plan defines low-income census tracts as “[c]ensus tracts where aggregated household incomes are less than 80 percent of area or state median income.”<sup>12</sup> Although the specific meaning of “area” is not included in this definition, another discussion of low-income census tracts in the ESJ Action Plan refers to California Department of Housing and Community Development (“CDHCD”) income limits.<sup>13</sup> The CDHCD document reporting those limits uses the county as the applicable “area” for reporting median incomes.<sup>14</sup> Accordingly, for each census block, AT&T California has provided the household median income of each census tract, county, and the state. In addition, AT&T California has flagged whether the household median income of the census tract is less than or equal to 80 percent of the household median income of the county and whether it is less than or equal to 80 percent of the statewide household median income.

In the accompanying production, AT&T California also provides Compass Lexecon’s workpapers for Attachment 5.1. Certain of the workpapers contain proprietary and confidential information and are subject to the terms of the Non-Disclosure Agreement (“NDA”) entered into by AT&T California and TURN in Application 23-03-002 on August 28, 2023. The index in Attachment A contains the name of each workpapers file; whether the file is confidential; the bases for any confidentiality claims; and the Bates range.

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<sup>12</sup> ESJ Action Plan at 2.

<sup>13</sup> *Id.* at 74.

<sup>14</sup> See Dep’t of Hous. & Cmty. Dev., *2023 State Income Limits Briefing Materials, California Code of Regulations, Title 25, Section 6932* (2023), <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>.

The following link is to Attachment 5.1 of AT&T's Response to TURN DR 2-5.

[https://theutilityreform-my.sharepoint.com/:x/g/personal/ryanagiba\\_turn\\_org/EbiQg-4h6ktPlrF8jvH3Aq8BxBr3sa5dMJbtO7qsKMijVA?e=r0esVj&wdLOR=c5FCD123E-108C-5040-965D-F2F0114C5E00](https://theutilityreform-my.sharepoint.com/:x/g/personal/ryanagiba_turn_org/EbiQg-4h6ktPlrF8jvH3Aq8BxBr3sa5dMJbtO7qsKMijVA?e=r0esVj&wdLOR=c5FCD123E-108C-5040-965D-F2F0114C5E00)

# EXHIBIT SMB-4

**Data Request No. 002-8:**

For the following months, please provide the AT&T California subscribership count of customers receiving (a) California LifeLine only, (b) federal Lifeline only, and (c) simultaneously California LifeLine and federal Lifeline: (i) January 2022, (ii) April 2022, (iii) July 2022, (iv) October 2022, (v) January 2023, (vi) April 2023, (vii) July 2023. If the total number of subscribers fluctuates during the month, please provide the highest number.

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<sup>23</sup> If the two pending Other applications are granted, AT&T California will negotiate a contract with Los Angeles County. Such contracts typically include exemptions for locations unable to be served due to AT&T California's inability to obtain permits and other necessary consents that prevent AT&T California from deploying service to the location within the time period required under the contract. Such contracts typically do not include exemptions due to the cost of serving a particular location.

**AT&T California Response to Data Request No. 8:**

Attachment 8.1 hereto, which is included in the accompanying production, contains the breakdown of customers eligible to receive (a) California LifeLine only (Column B); (b) federal Lifeline only (Column C), and (c) simultaneously California LifeLine and federal Lifeline (Column D) for the months requested in this Data Request. There are no customers eligible for only federal Lifeline because recipients of federal Lifeline also are eligible to receive California LifeLine.<sup>24</sup> Accordingly, each cell in the federal-only column (Column C) has been answered “0.” In addition, Column E provides the total number of LifeLine customers (the sum of Columns B and D) for each month. The data reported in Columns B-E come from the CPUC’s Third-Party Administrator (“TPA”) for Lifeline/LifeLine and are used by AT&T California in preparing its monthly Lifeline/LifeLine claims to the CPUC. Because the TPA reports the data as an end-of-month snapshot, the data do not permit reporting the highest intramonth number.

**END OF RESPONSES**

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<sup>24</sup> 2019 *LifeLine Order*, D.19-02-021, 2019 Cal. PUC LEXIS 103, at \*4.

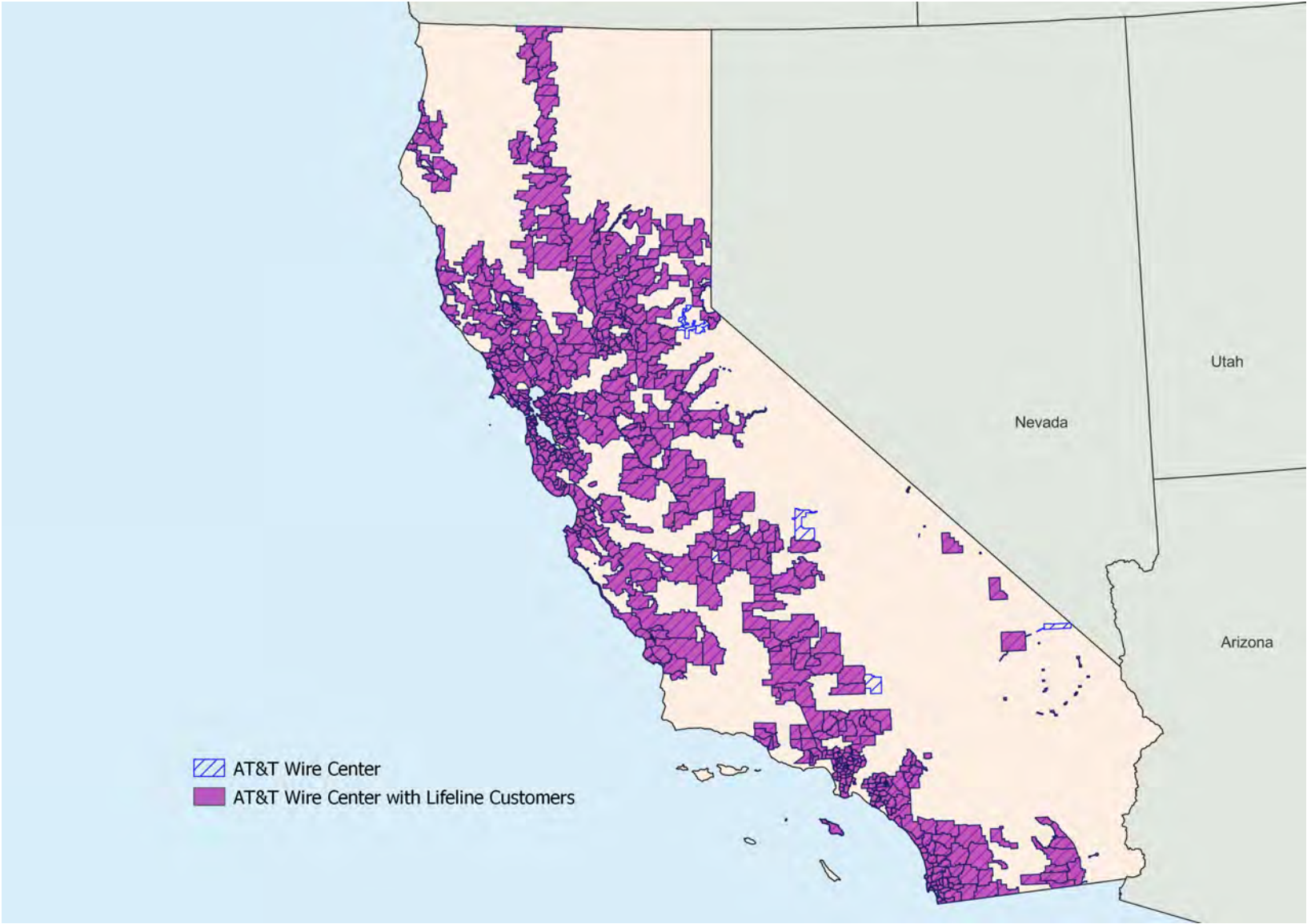
The following link is to Attachment 8.1 of AT&T's Response to TURN DR 2-8.

[https://theutilityreform-my.sharepoint.com/:x:/g/personal/ryanagiba\\_turn\\_org/ETafx1SWUJxNkptafS6vYFoBvp1xqt6qi-osDjGWssz3apw?e=nPh6l3&wdLOR=c872AAC42-13DF-7746-8CBE-EFE3C9F848F4](https://theutilityreform-my.sharepoint.com/:x:/g/personal/ryanagiba_turn_org/ETafx1SWUJxNkptafS6vYFoBvp1xqt6qi-osDjGWssz3apw?e=nPh6l3&wdLOR=c872AAC42-13DF-7746-8CBE-EFE3C9F848F4)

# EXHIBIT SMB-5



Locations of Lifeline Customers



Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6).

Lifeline customers live in 608 of AT&T’s 613 Wire Centers.

# EXHIBIT SMB-6

The following link is to ETC Exhibit D of AT&T's Response to TURN DR 1-2, ATTCA-CPUC-ETC00001329:

[https://theutilityreform-my.sharepoint.com/:x:/g/personal/ryanagiba\\_turn\\_org/EZSaC2wPSZdEuMBKfJYQPeUBmUhn\\_x\\_V-I1rLWpPhTrNA2w?e=d5z8TF&wdLOR=cDF840A84-D06B-FF47-B107-86254D173994](https://theutilityreform-my.sharepoint.com/:x:/g/personal/ryanagiba_turn_org/EZSaC2wPSZdEuMBKfJYQPeUBmUhn_x_V-I1rLWpPhTrNA2w?e=d5z8TF&wdLOR=cDF840A84-D06B-FF47-B107-86254D173994)

CONFIDENTIAL

EXHIBIT SMB-7

PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code § 7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).

The following link to Confidential Exhibit SMB-7 contains material that AT&T has identified as confidential or proprietary pursuant to the above-listed statutes:

[https://theutilityreform-my.sharepoint.com/:f/g/personal/ryanagiba\\_turn\\_org/Eu2pW4-GzV5HpqNXhNN5cQQB4kLfM6rLkL37PbH0pSnOkA?e=tZlwla](https://theutilityreform-my.sharepoint.com/:f/g/personal/ryanagiba_turn_org/Eu2pW4-GzV5HpqNXhNN5cQQB4kLfM6rLkL37PbH0pSnOkA?e=tZlwla)

To obtain the password, please contact Ashley L. Salas at [asalas@turn.org](mailto:asalas@turn.org).

TURN takes no position regarding AT&T's assertions of confidentiality and reserves the right to challenge those designations. Below, is an AT&T letter regarding its confidentiality designations, including a declaration and index.



AT&T California  
Mark Berry  
430 Bush Street  
5<sup>th</sup> Floor  
San Francisco, CA 94108  
415-417-5018

[mark.berry@att.com](mailto:mark.berry@att.com)  
[att-regulatory-ca@att.com](mailto:att-regulatory-ca@att.com)

November 30, 2023

**Re: Application of Pacific Bell Telephone Company d/b/a AT&T California  
(U 1001 C) to Relinquish Its Eligible Telecommunications Carrier  
Designation (A.23-03-002)**

To whom it may concern:

The Utility Reform Network (“TURN”) is serving the *Testimony of Susan M. Baldwin on Behalf of TURN* on November 30, 2023 (“Testimony”) in A.23-03-002 (ETC). TURN has informed AT&T California that attached to the Testimony will be an exhibit with a password-protected link to a further password-protected folder containing AT&T California’s Response to TURN’s Data Request 001-004. AT&T California’s Response to TURN’s Data Request 001-004 contained certain confidential information subject to the terms of the Non-Disclosure Agreement (“NDA”) entered into by TURN and AT&T California in Application 23-03-002 (ETC). Pursuant to the NDA, TURN notified AT&T California that it intends to provide certain information that AT&T California had designated as confidential through an exhibit to the *Testimony of Susan M. Baldwin on Behalf of TURN* served on November 30, 2023 (“Testimony”) and in the associated workpapers.

Attached is my Declaration explaining the confidential nature of the information for which AT&T California is seeking protection. Given the nature of files in AT&T California’s Response to TURN’s Data Request 001-004, and to avoid disrupting the code scripts with which many interact, it was not possible to affix confidentiality markings on these documents. Instead, AT&T California has prepared an index identifying each file and the confidentiality claims (if any) associated with that file, including citations to the appropriate legal authorities. That index is attached to the Declaration.

Please let me know if you have any questions about this submission.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark Berry".

**Declaration of Mark Berry in Support of Claim for Confidential Treatment by  
AT&T of Information Submitted to the California Public Utilities Commission Relating to the  
Application of Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C) to Relinquish Its  
Eligible Telecommunications Carrier Designation (A.23-03-002)**

I, Mark Berry, declare:

1. I am a Director – Regulatory for AT&T Services, Inc. My employment includes submission of confidential material to the California Public Utilities Commission (“CPUC”) on behalf of AT&T affiliates, including Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C).
2. Marc Blakeman is the President and an officer of AT&T California. Mr. Blakeman has designated me to execute this declaration on behalf of AT&T California (“AT&T”).
3. AT&T California’s Response to The Utility Reform Network’s (“TURN’s”) Data Request 001-004 contained confidential subject to the terms of the Non-Disclosure Agreement (“NDA”) entered into by TURN and AT&T California in Application 23-03-002 (ETC). Pursuant to the NDA, TURN notified AT&T California that it intends to provide certain information that AT&T California had designated as confidential through an exhibit to the *Testimony of Susan M. Baldwin on Behalf of TURN* (“Testimony”) served to the Parties in Application 23-03-002 on November 30, 2023 and in the associated workpapers.
4. Specifically, TURN has informed AT&T California that attached to the Testimony will be an exhibit with a password-protected link to a further password-protected folder containing AT&T California’s Response to TURN’s Data Request 001-004. AT&T California’s confidential information is contained in the files with Bates number ATTCA-CPUC-ETC00001330. Attached to this Declaration is an index with the confidentiality claims for each file with this Bates number by file name.
5. AT&T California’s Response to TURN’s Data Request 001-004 include (among other files) geographical information system (“GIS”) files for AT&T California’s wire centers and exchanges. Those GIS files contain information that is competitively sensitive to a third-party vendor of AT&T’s. AT&T’s contract with the vendor prohibits AT&T from disclosing the GIS information publicly.

Disclosure of such information would put the vendor at an unfair business competitive disadvantage.

For example, other potential customers might choose not to purchase its proprietary GIS offerings, or its competitors might be able to improve their offerings, marketing, or other strategies to their benefit and at the vendor's expense. Disclosure of this information would thus place AT&T's vendor at a competitive disadvantage or provide the vendor's competitors a competitive advantage.

6. AT&T does not publicly disclose this information, and AT&T takes steps to keep this information secret. Only AT&T employees who have a business need to know this information are permitted access to this information. Further, such AT&T employees are required and trained to keep this information confidential to AT&T, and only distribute this information within AT&T on a business need-to-know basis.

7. Given the nature of files in AT&T California's Response to TURN's Data Request 001-004, and to avoid disrupting the code scripts with which many interact, it was not possible to affix confidentiality markings on these documents. Instead, AT&T California has prepared the attached index identifying each file and the confidentiality claims (if any) associated with that file, including citations to the appropriate legal authorities.

8. As required under CPUC General Order 66-D, Section 3.2(d), I am the designated point of contact with reference to the aforementioned information, and contact should be made via email at [mb2861@att.com](mailto:mb2861@att.com) and [att-regulatory-ca@att.com](mailto:att-regulatory-ca@att.com).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: November 30, 2023

\_\_\_\_\_  
/s/  
Mark Berry



**Index of Documents Produced August 31, 2023, in AT&T California's Response to The Utility Reform Network's ("TURN's")  
Data Request 001-004 in Application 23-03-002 (ETC)**

<b>File Name</b>	<b>Designated as Confidential</b>	<b>Confidentiality Claims</b>	<b>Bates Range</b>
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.cpg	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.dbf	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.prj	No	None	ATTCA-CPUC-ETC00001330

<b>File Name</b>	<b>Designated as Confidential</b>	<b>Confidentiality Claims</b>	<b>Bates Range</b>
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.sbn	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.sbx	No	None	ATTCA-CPUC-ETC00001330
ATT_WCs_CA_113022.shp	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.shp.EGVLXCXADD001.17092.29276.sr.lock	No	None	ATTCA-CPUC-ETC00001330

<b>File Name</b>	<b>Designated as Confidential</b>	<b>Confidentiality Claims</b>	<b>Bates Range</b>
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.shp.xml	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330
AT&T Response to TURN DR001 A2303002\ Response 4\ATT CA WCs\ATT_WCs_CA_113022.shx	Yes	PROPRIETARY AND CONFIDENTIAL INFORMATION under California Government Code §7927.705; California Evidence Code §1060; California Civil Code §3426 et seq.; 18 U.S.C Chapter 90 et seq.; The information provided is subject to the terms of the Non-Disclosure Agreement (NDA) entered into by the Parties in Application 23-03-002 (ETC).	ATTCA-CPUC-ETC00001330

# EXHIBIT SMB-8

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA



**FILED**

02/02/23

03:48 PM

R2203016

COMMISSIONER JOHN REYNOLDS, in attendance

COMMISSIONER DARCIE L. HOUCK, in attendance

ADMINISTRATIVE LAW JUDGE THOMAS J. GLEGOLA, presiding

Order Instituting Rulemaking	)	PUBLIC
Proceeding to Consider Amendments to	)	PARTICIPATION
General Order 133.	)	HEARING
	)	
	)	
	)	
	)	
	)	Rulemaking
	)	22-03-016
	)	

REPORTERS' TRANSCRIPT  
Virtual Proceeding  
December 6, 2022  
Pages 1 - 137  
Volume 1

Reported by: Rebekah L. DeRosa, CSR No. 8708  
Shannon Ross Winters, CSR No. 8916  
Jason A. Stacey, CSR No. 14092

1 (Timer notification.)

2 SPEAKER WHITMAN: Thank you.

3 THE OPERATOR: Our next public comment  
4 comes from Rich Lierly. Your line is open.

5 STATEMENT OF SPEAKER LIERLY

6 Yeah. Thank you. My name is Rich  
7 Lierly. It's L-i-e-r-l-y.

8 And I've lived -- I live in  
9 unincorporated rural Nevada County, where the  
10 only service that is available is AT&T. And  
11 I've lived here for over 22 years, and in  
12 that time, the cell service has gotten worse,  
13 not better. And I'm in a high fire risk  
14 area, so when PG&E shuts our power off, I  
15 also use -- lose use of my landline. So I  
16 have no outside communication. And it's also  
17 kind of a joke when you say, "Oh, go to this  
18 website or that website." My Internet  
19 connection is so low, I cannot really use it.  
20 I have to go drive into town, and go to the  
21 public library in order to get on the  
22 Internet. And I'm a senior citizen and  
23 disabled. And like I said, the service has  
24 actually gotten worse in 22 years. I've had  
25 AT&T out here. The -- the -- the repairmen  
26 are also always very friendly and helpful,  
27 but they all say the lines need to be  
28 replaced.

1 I have a situation with my  
2 Internet, which I have qualified for a lower  
3 payment, and somehow, AT&T went in through my  
4 account and took money out of my account to  
5 pay for something that I'm qualified for. So  
6 that's a disturbing thing. Anyway, thank  
7 you. That's all I have to say.

8 ALJ GLEGOLA: Thank you.

9 And before we hear from our next  
10 caller, if I could just remind our callers,  
11 please speak slowly and clearly for our court  
12 reporters, because we -- we very much want to  
13 be able to transcribe what you're saying.  
14 Please speak slowly, clearly, and also, spell  
15 your -- your name. Thank you.

16 THE OPERATOR: Our next public comment  
17 comes from Samantha Hess. Your line is open.

18 UNIDENTIFIED SPEAKER: What was the  
19 name?

20 THE OPERATOR: Samantha Hess, your line  
21 is open.

22 STATEMENT OF SPEAKER HESS

23 Thank you. This is Samantha Hess.  
24 That's S-a-m-a-n-t-h-a, last name Hess, "H,"  
25 like Henry, "E," Edward, s-s, like Sam, from  
26 Encino, California.

27 My husband and I have had Sprint  
28 for many, many years; well, a couple of

1 decades. When T-Mobile took over with the  
2 merger, our cell service, which always worked  
3 perfectly in our home in Encino and the  
4 surrounding area, not to mention, worked  
5 flawlessly when we traveled anywhere within  
6 the United States, does not work in various  
7 areas of our home, including our kitchen, our  
8 hallway, our garage. It doesn't work for  
9 either of us or the other two family members  
10 who live with us; and when we have our  
11 out-of-town family visit, who also have  
12 T-Mobile, it doesn't work for them. So we  
13 went from having perfect service to now being  
14 stuck with terrible service that's very  
15 spotty and unreliable in our own home. Thank  
16 you very much for listening.

17 THE OPERATOR: Our next public comment  
18 comes from Ann Ray. Your line is open.

19 STATEMENT OF SPEAKER RAY

20 Good evening, Commissioners. My  
21 name is Ann, A-n-n. My last name is Ray,  
22 R-a-y.

23 I'm calling about two issues. I --  
24 my first issue is with AT&T. I have a hard  
25 line with them for our alarm service for  
26 health and safety issues. My bill is \$81 a  
27 month. I think it's exorbitant for just the  
28 basic services for our hard line and long



1 distance. I do not make any outgoing calls  
2 on that AT&T hard line. It's for our alarm  
3 service purposes only.

4 Also, my second issue is I'm with  
5 T-Mobile. If I'm in Fillmore, California,  
6 93015, if I go to my friend's farm, it's a  
7 rural community. I have no cell service.  
8 For health and safety issues, I would like to  
9 be able to dial 911. I have no service. And  
10 he lives about two miles -- his farm is two  
11 miles from my home. So I think T-Mobile  
12 needs to expand their cell service in my  
13 community.

14 (Timer notification.)

15 THE OPERATOR: Our next public comment  
16 comes from Mark Edmonds. Your line is open.

17 STATEMENT OF SPEAKER EDMONDS

18 Thank you. My name is Mark  
19 Edmonds. Last name is spelled E-d-m-o-n-d-s.  
20 I'm a TURN supporter, long-time.

21 And I'm calling about my Xfinity  
22 phone service. I've had Xfinity for -- since  
23 they started selling Xfinity phones through  
24 Comcast. I've been a long-time Comcast  
25 customer. What's going on is that, for weeks  
26 now, no one has been able to leave me a  
27 voicemail. And my friends know that if it's  
28 important, they can text me, if I don't pick

1 service, the quality of the service. We have  
2 phone -- during a phone call, we will have  
3 the phone basically go quiet. Neither the  
4 caller or the callee can hear each other for  
5 periods of time, 10, 15, 20 seconds at a  
6 time, or the service is so poor that we  
7 engage in a conversation, and the phone --  
8 the phone call is just completely dropped.  
9 I've talked to our service provider, AT&T.  
10 They say that we have the cells in our area  
11 go in and out. Sometimes they're strong.  
12 Sometimes there's not -- they're not strong.  
13 And our area's supposed to be a strong "A"  
14 and T&T service area, yet we are still  
15 getting completely dropped calls, our calls  
16 that are blacked out, and we are --

17 (Timer notification.)

18 SPEAKER ELSTER: Thank you very much. ]

19 THE OPERATOR: Our next public comment  
20 comes from:

21 (Electronically recorded: Eric  
22 Needs.)

23 STATEMENT OF SPEAKER NEEDS

24 Hello. My name is Eric Needs,  
25 E-r-i-c N-e-e-d-s. I'm from Santa Clarita,  
26 California.

27 And my issue is with T-Mobile. On  
28 Sierra Highway, there's a five-mile gap of no

1 service from 10500 Sierra Highway through  
2 14500 Sierra highway. T-Mobile has claimed  
3 4G LTE and 5G service, but it's only  
4 emergency service only.

5 T-Mobile is aware of this. They  
6 have done nothing but try to pass me off to  
7 another carrier. Similarly, at Embrey  
8 (phonetic), California, Park Hill, Marine  
9 Terrace, and Happy Hill along with much of  
10 the downtown area have no service. And last  
11 winter T-Mobile had an outage due to power  
12 outage while all the other carriers were up.

13 T-Mobile's generators were  
14 nonfunctional. They were out for more than  
15 eight hours. No explanation other than, they  
16 had --

17 (Timer notification.)

18 THE OPERATOR: Our next public comment  
19 comes from:

20 (Electronically recorded: Gavin  
21 Martinez.)

22 STATEMENT OF SPEAKER MARTINEZ

23 Yes. Hello. This is Gavin  
24 Martinez, G-a-v-i-n M-a-r-t-i-n-e-z.

25 I'm a disabled senior living in San  
26 Diego, and I've noticed over the last 10  
27 years that -- I've been disabled since  
28 2012 -- the cost of my landline keeps on

1 sometimes the line goes dead entirely.

2 I've lived most of my life in urban  
3 areas and never had the kind of the problems  
4 I've had in the rural part of California.

5 Also, it's very spotty in terms of  
6 cell phone connection, and if there's ever a  
7 desire by AT&T to eliminate landlines, there  
8 is a necessity to have adequate cell phone  
9 coverage.

10 (Timer notification.)

11 SPEAKER RHYNE: Thank you very much.

12 ALJ GLEGOLA: Thank you.

13 THE OPERATOR: Our next public comment  
14 comes from:

15 (Electronically recorded: Samira  
16 Guccione.)

17 STATEMENT OF SPEAKER GUCCIONE

18 Hello. My name is Samira Guccione,  
19 S-a-m-i-r-a G-u-c-c-i-o-n-e. I'm calling  
20 from Burlingame, California.

21 My cell phone service used to be  
22 with Sprint, and my service worked okay.

23 Ever since T-Mobile brought Sprint  
24 and there was the merger, my cell phone does  
25 not work at home -- at my home. It's very  
26 spotty and cuts in and out all the time.  
27 There is no reason why this should happen due  
28 to the merger.

1 I have a -- my mother has cancer;  
2 my child has -- my daughter has an autoimmune  
3 disease; therefore, I need to make calls to  
4 hospitals all the time, and this is  
5 impossible to use the home at home, and I'm  
6 still paying over \$130 per month for a  
7 service that doesn't work in my home, and  
8 this is very difficult for me.

9 My son investigated this online and  
10 said since the merger, they decided to make  
11 the lines spotty and unsatisfactory so that  
12 they can have the --

13 (Timer notification.)

14 SPEAKER GUCCIONE: -- charge extra for  
15 having --

16 THE OPERATOR: Your Honor, we're going  
17 to try the Spanish comment line. One moment.  
18 We're going to try it again.

19 Hi. Your line is open for Spanish  
20 public comment.

21 (Commenter speaking in Spanish.)

22 THE OPERATOR: We'll come back to them  
23 again. One moment.

24 Our next public comment comes from:  
25 (Electronically recorded: Mr. Tracy  
26 J. Costello. Hello?)

27 STATEMENT OF SPEAKER COSTELLO

28 Yes. This is Mr. Tracy J.

1           Most troubling is not being able to  
2 select an internet provider. We're being  
3 forced to accept their fees and inadequate  
4 service. It behooves the CPUC to (inaudible)  
5 service providers to ensure a high-quality  
6 service for all folks living in California.

7           Thank you.

8           ALJ GLEGOLA: Thank you.

9           THE OPERATOR: Our next public comment  
10 comes from:

11           (Electronically recorded: Name not  
12 recorded.)

13          THE OPERATOR: Your line is open.

14           Hi. Your line is open.

15           (No response.)

16          THE OPERATOR: Hi.

17           (No response.)

18          THE OPERATOR: Our next public comment  
19 comes from:

20           (Electronically recorded: Eben  
21 Haber.)

22          STATEMENT OF SPEAKER HABER

23           Hello. My name is Eben Haber,  
24 E-b-e-n H-a-b-e-r. I live in an  
25 unincorporated area five miles outside  
26 Cupertino. I have an AT&T landline because  
27 my home is in an area with zero cell phone  
28 coverage and no cable. So I have to drive



1 five miles if I want to get a cell signal.

2 I have three big problems with  
3 AT&T's landline service: Whenever there is a  
4 power outage, the landline service fails  
5 immediately; so it's not very good in  
6 disasters. AT&T is not maintaining the  
7 backup power. Whenever it rains, like so  
8 many people before me, I get a lot of static  
9 on my phone requiring repairs.

10 And, finally, about half the time  
11 when I try to file the trouble ticket with  
12 AT&T's website, the website says it is unable  
13 to take my report for no good reason. So  
14 they really don't want to hear my trouble  
15 ticket. Thank you very much.

16 ALJ GLEGOLA: Thank you for sharing.

17 THE OPERATOR: Our next public comment  
18 comes from:

19 (Electronically recorded: Carole  
20 Gruver.)

21 STATEMENT OF SPEAKER GRUVER

22 My name is Carole Gruver,  
23 C-a-r-o-l-e G-r-u-v-e-r. I'm 79 years old.  
24 I live in a rural area on a ranch. My  
25 landline is my primary phone. My cell phone  
26 will not work at my home. I have to drive 12  
27 miles just to get this cell phone to work and  
28 25 miles to closest town.

1           They installed overhead cable, oh,  
2           probably 45 years ago, and AT&T does not want  
3           to put any money to repair it; therefore,  
4           they leave us to no phone at all with the  
5           landline.

6           I priced the AT&T cell tower  
7           booster and they're about \$700, but there's  
8           no guarantee that it will work with the cell  
9           tower in my region. It's just very hard to  
10          get any emergency service out here because of  
11          the rural area. So I'd appreciate if someone  
12          could maybe look into it and maybe fix this  
13          issue. Thank you very much.

14          ALJ GLEGOLA: Thank you for sharing.

15          THE OPERATOR: Our next public comment  
16          comes from:

17                 (Electronically recorded: Rachel  
18                 Oriana Schraeder.)

19                 STATEMENT OF SPEAKER SCHRAEDER

20                 Hello. My name is Rachel,  
21                 R-a-c-h-e-l, Schraeder S-c-h-r-a-e-d-e-r.

22                 Like many other callers, we reside  
23                 in a rural area with no cell phone coverage.  
24                 We have a landline that we have maintained  
25                 for years with AT&T, and we suffer the same  
26                 issues with the poor line and connectivity.

27                 While that issue is exacerbated  
28                 during rainstorms or when there is ground



1 moisture, that can occur with static on the  
2 line even on the clearest day.

3 So the issues are poor lines, which  
4 have not been maintained, and AT&T has no  
5 plans to upgrade or maintain the lines in our  
6 area. This is the lifeline for us in the  
7 event of an emergency. We live in an extreme  
8 wildfire hazard area.

9 And I appreciate your attention to  
10 looking into the line-maintenance concern  
11 that we are suffering, especially because we  
12 continue to be charged exorbitant rates  
13 despite very poor, staticky service that is  
14 hardly serviceable. Thank you so much. ]

15 ALJ GLEGOLA: Thank you for your time  
16 today.

17 THE OPERATOR: Our next public comment  
18 comes from:

19 (Electronically recorded: Lee.)

20 STATEMENT OF SPEAKER ANDERSON

21 Oh, hello. My name is Lee, L-e-e,  
22 Anderson, A-n-d-e-r-s-o-n.

23 I'm calling because many people in  
24 locations in California have no usable  
25 available phone or internet when AT&T  
26 discontinues copper landlines and wired DSL  
27 services. There are areas of people who  
28 cannot use VoIP phones, cell phones,

1 fiber-optic or wireless technology. There  
2 needs to be an immediate injunction to stop  
3 AT&T from ending copper landline and wired  
4 DSL services until qualified companies  
5 replace AT&T in providing those services.  
6 Those services could get transferred to a  
7 publicly-owned phone and Internet company  
8 modeled after the one operating in Montana,  
9 called Northern Telephone, or get transferred  
10 to a city, county or state-run company  
11 modeled after the one operating in  
12 Chattanooga, Tennessee. This is a city-owned  
13 company that provides wired phone and  
14 Internet to every resident in --

15 (Timer notification.)

16 SPEAKER ANDERSON: Thank you.

17 ALJ GLEGOLA: Thank you. Thank you for  
18 sharing.

19 THE OPERATOR: Our next public comment  
20 comes from:

21 (Electronically recorded: Clifford  
22 Speakman.)

23 STATEMENT OF SPEAKER SPEAKMAN

24 Yes. I'm Clifford Speakman,  
25 C-l-i-f-f-o-r-d Speakman, "S," as in star,  
26 "P," as in Paul, e-a-k-m-a-n.

27 Thank you, your Honor and  
28 Commissioners. I have an AT&T landline with

1 no cell phone access in the area. I live in  
2 the area of Gualala, California, and Point  
3 Arena.

4 I'd like to give you an example of  
5 this last November service. It went down on  
6 the 5th. I made one missed -- they made one  
7 missed appointment, two missed deadlines, one  
8 "p" -- CPUC complaint. I ended up writing to  
9 Senator McGuire and making contact with the  
10 field service personnel, all without service  
11 for 16 plus days at \$92 a month. Finally,  
12 after I called Senator McGuire and contacted  
13 the CPUC, my landline came back on on the  
14 16th. I --

15 (Timer notification.)

16 SPEAKER SPEAKMAN: Thank you, folks.

17 ALJ GLEGOLA: Thank you --

18 THE OPERATOR: Our next public  
19 comment --

20 ALJ GLEGOLA: -- for your time.

21 THE OPERATOR: Our next public comment  
22 comes from:

23 (Electronically recorded: Carrie  
24 Baltin.)

25 STATEMENT OF SPEAKER BALTIN

26 Hi. I'm Carrie Baltin, C-a-r-r-i-e  
27 B-a-l-t-i-n, and I live in the unincorporated  
28 area of Los Angeles County called Monte Nido.

1 It's a mountain community, and we have to  
2 rely on our hard lines, considering that the  
3 cell service is not or has it ever been  
4 foolproof.

5           However, the main and most  
6 important reason is the life and safety  
7 issues involved with not having a viable hard  
8 line to fall back on in times of need.  
9 Because of our mountain location and  
10 prevalence of fires, communication in others  
11 in our committee -- community is essential.  
12 Mobile cellular systems are generally the  
13 first system to be overloaded. The community  
14 also needs to be -- have a reliable hard line  
15 to access first responders, such as calls to  
16 911 or directly to fire, police, et cetera.  
17 Also, you know, we -- as we all know, a  
18 favorable outcome to a medical emergency may  
19 be a factor of a timely response. I have  
20 both AT&T and T-Mobile, and both generally  
21 are pretty horrific.

22           (Timer notification.)

23           ALJ GLEGOLA: Thank you for your time.

24           SPEAKER BALTIM: Thank you.

25           THE OPERATOR: Our next public comment  
26 comes from:

27           (Electronically recorded: Torger  
28 Johnson.)

1 service with AT&T since I lived here in 1972.  
2 Mid year last year -- I've always had a  
3 single strand of five bars the entire time  
4 I've lived here until mid year last year. It  
5 started to drop down to now where it's at  
6 one. I was told the end of last year that it  
7 was because of the conversion to 5G, and when  
8 that was completed in January, February it  
9 would go back to normal. It has not. I only  
10 have one bar of signal, and we still don't  
11 have five (inaudible) data. The data service  
12 has always been like watching paint dry, and  
13 it still is a LITE (sic) data. There's been  
14 no improvement. I've called --

15 (Timer notification.)

16 SPEAKER CUCCHIARA: They say they  
17 can't -- they don't know what the problem is.

18 THE OPERATOR: Our next public comment  
19 comes from:

20 (Electronically recorded: Steve  
21 Bezas.)

22 STATEMENT OF SPEAKER BEZAS

23 Hi. I'm Steve Bezas, S-t-e-v-e  
24 B-e-z-a-s, and I live in Pope Valley,  
25 California.

26 I have an AT&T landline that is a  
27 lifeline. The community has no service when  
28 the power goes out. So if we have a power

1 outage from PG&E, our landlines no longer  
2 have dial tone after within 20 minutes from  
3 the time the power goes out. So I'm 90 years  
4 old, and I cannot make a phone call for any  
5 emergency help in my area. This happens to  
6 everybody out here. Also, too, when it  
7 rains, our service connections get wet, and  
8 we don't have service. It takes them a very  
9 long time to get it repaired and bring it  
10 back up. And we don't -- we don't have the  
11 ability for cell service in our area, because  
12 they've asked us do we want to switch to  
13 cellular service with them, and it's --

14 (Timer notification.)

15 SPEAKER BEZAS: Thank you for your  
16 time.

17 ALJ GLEGOLA: Thank you for sharing  
18 today, sir.

19 THE OPERATOR: Our next public comment  
20 comes from:

21 (Electronically recorded: Monica  
22 Jeffries.)

23 STATEMENT OF SPEAKER JEFFRIES

24 Hello. This is Monica Jeffries,  
25 and my last name is spelled J-e-f-f-r-i-e-s.

26 I'd like to wish everyone good  
27 evening, but I would like to put out some  
28 information that we would like to see the



1 POTS lines continue. I have been in two  
2 situations when cell phones didn't work and  
3 VoIP didn't work during an emergency, and I  
4 would like to see to it that support is given  
5 for the continuation of the good-old phone  
6 service on the landlines.

7 Also, one other thing I would like  
8 to ask is if you could improve the service  
9 and quality standards for that, and somehow  
10 assure that those landlines would continue.  
11 Again, cell phones are not reliable,  
12 especially in the case of an emergency, and  
13 voice lines are not necessarily (inaudible).  
14 But, I'm hearing that there's also problems  
15 with landlines if the power backup isn't on  
16 the switches. So again, thank you again for  
17 allowing --

18 (Timer notification.)

19 ALJ GLEGOLA: Thank you for sharing.

20 THE OPERATOR: Our next public comment  
21 comes from:

22 (Electronically recorded: Kelly  
23 MacDonald.)

24 STATEMENT OF SPEAKER MACDONALD

25 Hi. My name is Kelly MacDonald,  
26 M-a-c-D-o-n-a-l-d, and I'm a mother of a  
27 five-year-old boy in Elk Grove, California.

28 And I just wanted to take the time

1 Their response, "Not my problem. Complain to  
2 the PUC." I'm so doing. Thank you very  
3 much.

4 ALJ GLEGOLA: Thank you for sharing.

5 THE OPERATOR: Our next public comment  
6 comes from:

7 (Electronically recorded: Steve  
8 Lamorve.)

9 STATEMENT OF SPEAKER LAMORVE

10 Hello. This is Steve Lamorve,  
11 S-t-e-v-e L-a-m-o-r-v-e.

12 I live in a small community in a  
13 remote area of the Santa Cruz Mountains on  
14 the San Francisco Peninsula. We have no cell  
15 service due to the terrain, and no cable  
16 service due to the relatively sparse  
17 population of our area. We have recurring  
18 problems with our landline phones. They've  
19 been getting progressively worse for more  
20 than a decade. Much of our neighborhood is  
21 typically without landline phone service for  
22 weeks, or even as long as a month or two at a  
23 time. The problems appear to be the result  
24 of aging equipment that is both fragile and  
25 difficult to repair or replace, I'm guessing  
26 probably installed around in the 1940s, and  
27 copper cables that are especially prone to  
28 problems when it rains. It rains a lot here.



1 These problems have been getting steadily  
2 worse, as I pointed out, to -- to a point  
3 where the AT&T techs that come out here have  
4 labeled them chronic. It usually takes weeks  
5 or months for AT&T to solve, and then the  
6 technician for the --

7 (Timer notification.)

8 SPEAKER LAMORVE: Thank you for your  
9 help.

10 ALJ GLEGOLA: Thank you for your time  
11 today.

12 THE OPERATOR: Our next public comment  
13 comes from:

14 (Electronically recorded: Eric  
15 Schull.) ]

16 STATEMENT OF SPEAKER SCHULL

17 I have an AT&T POTS service. It's  
18 delivered by a -- by a very copper -- when it  
19 gets wet, it takes AT&T two weeks for their  
20 due date to show up and do repair. By the  
21 time two weeks has passed, it's dried out.  
22 It's starting to work.

23 This happens repeatedly. Yet AT&T  
24 if it's a commercial account, they can show  
25 up within four hours and fix the problem. So  
26 they are ignoring the residential service.  
27 Nor in my neighborhood can I get fiber-optic  
28 or DSL.

1 Xfinity. I have their service here and some  
2 days I get 30 spam calls.

3 Now, this isn't happening with  
4 other carriers. As a quality of service  
5 thing, I think it's disgusting, and maybe you  
6 can guys can light a fire under them to take  
7 care of some of this. Thank you.

8 ALJ GLEGOLA: Thank you for your time  
9 today.

10 THE OPERATOR: Our next public comment  
11 comes from:

12 (Electronically recorded: Gary  
13 Deutsch.)

14 STATEMENT OF SPEAKER DEUTSCH

15 Well, howdy. This is Gary,  
16 G-a-r-y, Deutsch, D-e-u-t-s-c-h, calling on  
17 behalf of an elder shut-in solo. Her name  
18 would be Melanie Liscka, L-i-s-c-k-a, in the  
19 94132 area code.

20 She is having a helluva a time.  
21 All she's ever had is a landline from AT&T  
22 for many, many, many, many years, and she's  
23 also hard of hearing and not mobile.

24 Her phone service went out over a  
25 year ago, I believe, maybe a year, has not  
26 had it fixed. AT&T said they had a blown  
27 transformer or some crap. And this is a year  
28 later, and she is still without service, and

1 she is, you know, old. She's not  
2 technologically-able. I mean no computers.  
3 She can't hear on the cell phone because she  
4 is hearing impaired also, and this is quite  
5 unsatisfactory.

6 Obviously, AT&T is trying to phase  
7 out the landline.

8 (Timer notification.)

9 SPEAKER DEUTSCH: And I do appreciate  
10 you letting me bitch. Thank you.

11 ALJ GLEGOLA: Thank you for your time  
12 today.

13 THE OPERATOR: Our next public comment  
14 comes from:

15 (Electronically recorded:  
16 Richard S.)

17 ALJ GLEGOLA: Please continue. Please  
18 continue with your comments.

19 THE OPERATOR: We'll move on to the  
20 next. One moment.

21 (Electronically recorded:  
22 Jennifer.)

23 THE OPERATOR: Your line is open.

24 STATEMENT OF SPEAKER JENNIFER

25 Oh, thank you Commissioners, and  
26 thank you, your Honor. I'm Jennifer from  
27 Fullerton, California.

28 I have an AT&T line for years, and

1 of 37 people in our little town. We have  
2 a -- I would call it a substation down in  
3 town so when PG&E decides to flip the switch,  
4 that substation is supposed to kick on and  
5 keep our phones going.

6 I can get -- I have a phone that  
7 doesn't require electricity; and, therefore,  
8 I can maintain my landline. However, AT&T  
9 for the last couple of times that PG&E has  
10 flipped the switch has not come out with a  
11 generator to keep that thing going.

12 There's batteries inside of it and  
13 it needs a generator to maintain it. And I  
14 would like it if somebody could do something  
15 about that. Thank you guys for having this  
16 forum and have a good evening. Thank you.

17 ALJ GLEGOLA: Thank you. You too.

18 THE OPERATOR: Our next public comment  
19 comes from:

20 (Electronically recorded: Jeanette  
21 Chevalier.)

22 STATEMENT OF SPEAKER CHEVALIER

23 Hello. This is Jeanette Chevalier.  
24 First name, Jeanette J-e-a-n-e-t-t-e,  
25 Chevalier C-h-e-v-a-l-i-e-r.

26 I am not happy with my telephone  
27 service. I live in the country in El Dorado  
28 county where cell service does not exist

1 outside my house.

2 Many businesses, like PG&E, their  
3 subcontractors for tree service and most  
4 others who want to connect with me cannot do  
5 so with their cell phones; therefore, I am  
6 obliged to have a landline. It is my only  
7 link to the outside world, especially in case  
8 of an emergency.

9 I understand that AT&T wants to  
10 eliminate landlines, and so they keep raising  
11 the monthly rate. This is unfair for those  
12 of us who need them. Also the telephone  
13 lines in my area, French Creek Road and  
14 Shingle Springs, are very old and often don't  
15 work properly. It can take days and even  
16 weeks before telephone service is reinstated.

17 This puts us homeowners who rely on  
18 landlines in a very risky situation.  
19 Something needs to be done to protect us and  
20 give us the service we need.

21 Thank you for your time.

22 ALJ GLEGOLA: Thank you for your time  
23 today.

24 THE OPERATOR: Next public comment  
25 comes from:

26 (Electronically recorded: Patricia  
27 Ramirez.)

28 ///

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA



**FILED**

02/03/23

09:02 AM

R2203016

COMMISSIONER DARCIE L. HOUCK, in attendance  
ADMINISTRATIVE LAW JUDGE THOMAS J. GLEGOLA, presiding

Order Instituting Rulemaking	)	PUBLIC
Proceeding to Consider Amendments to	)	PARTICIPATION
General Order 133.	)	HEARING
	)	
	)	
	)	
	)	
	)	Rulemaking
	)	22-03-016
	)	

REPORTERS' TRANSCRIPT  
Virtual Proceeding  
December 8, 2022  
Pages 138 - 303  
Volume 2

Reported by: Jason A. Stacey, CSR No. 14092  
Ashleigh E. Button, CSR No. 14013  
Tamara Dawson, CSR No. 11497

1 issue, and I do hope it's addressed soon, and  
2 in a way that demonstrates value for those  
3 among us with less privileged access to these  
4 modern resources.

5 Thank you so much, Commission.

6 ALJ GLEGOLA: Thank you for your time  
7 today.

8 THE OPERATOR: Our next commenter is  
9 James Hill.

10 Mr. Hill, your line is open.

11 STATEMENT OF SPEAKER HILL

12 Thank you. James Hill, J-a-m-e-s;  
13 H-i-l-l; Big Sur, California.

14 AT&T been telling us that they're  
15 abandoning copper. The Ranch settled and  
16 homesteaded in 1834 received the first phone  
17 service in 1922, and we're being told that  
18 our copper lines will be abandoned, and that  
19 is the only form of service for 9-1-1 for all  
20 six residences on The Ranch. Cell service is  
21 not available at any of those residences.

22 We need to have the copper lines  
23 maintained, the infrastructure is being  
24 ignored and there is frequent service  
25 interruption with sometimes five to seven  
26 days of interruption before repairs are made  
27 effective.

28 Thank you, Commission, for hearing



1 our comments.

2 ALJ GLEGOLA: Thank you for taking the  
3 time today.

4 THE OPERATOR: Next we have Sudi Scull.  
5 Your line is open.

6 STATEMENT OF SPEAKER SCULL

7 Hi, this is Sudi Scull; S-u-d-i,  
8 S-c-u-l-l from San Francisco; and I want to  
9 say clearly that I love my landline phone. I  
10 had an emergency and 9-1-1 didn't pick up  
11 fast enough. I hung up, and the police were  
12 at my house within five minutes; and that's  
13 just one reason I like my landline phone.

14 There was a state bill in 2003 to  
15 eliminate landlines. President Peevey,  
16 Commissioner Sandoval and other Commissioners  
17 at the CPUC worked hard to defeat it.

18 I am electromagnetically sensitive.  
19 EMS sensitive, a federal disability; and I  
20 cannot use any electronics. I only can  
21 communicate with my landline phone.

22 Please, CPUC, keep supporting  
23 landlines.

24 Thank you.

25 ALJ GLEGOLA: Thank you for -- for  
26 sharing.

27 THE OPERATOR: Next we have Nina Beety.  
28 Nina, your line is open.



1 Operator, is it possible to move to  
2 our Spanish language line?

3 THE OPERATOR: Yes, your Honor.  
4 Standby one moment.

5 I apologize, your Honor. Looks like  
6 we had an issue with the audio. Stand by one  
7 more moment for me.

8 ALJ GLEGOLA: Okay. Thank you.

9 THE OPERATOR: Going to go to the  
10 English line as we get the Spanish fixed.

11 Stand by one moment.

12 Grace Sevy.

13 Grace, your line is open.

14 STATEMENT OF SPEAKER SEVY

15 Yes. My name is Grace Sevy,  
16 G-r-a-c-e. Last name is, S-e-v-y. I am an  
17 older person. I'm 86 years old. My husband  
18 is 89 years old. He has health problems. We  
19 need a good 911, a dependable one. I don't  
20 have a cell phone. I'm not all that -- I'm  
21 not knowledgeable about electronics. I can't  
22 use a cell phone. We'll be cutoff.

23 So I would hope that you would  
24 please maintain my landline. It's, like,  
25 absolutely necessary.

26 Thank you very much.

27 ALJ GLEGOLA: Thank you for calling in  
28 today.

1 voice is kind of messed up.

2 I have been an AT&T customer since  
3 I was a teenager. And I'm 80 years old, so  
4 that's quite a while. And I've been all over  
5 the State of California, and I've found the  
6 service to be very good wherever I was. I  
7 now live in a mobile home in Jamestown,  
8 California, and I have had problems here with  
9 AT&T lines, but it was fixed efficiently and  
10 completely. And I would like to thank AT&T  
11 for the good service that they have provided  
12 me, and I'm certain many others too. Thank  
13 you.

14 ALJ GLEGOLA: Thank you for calling in,  
15 sir. Best wishes on a speedy recovery.

16 THE OPERATOR: Next, we have Ronnie Lee  
17 Riley. Ronnie, your line is open.

18 STATEMENT OF SPEAKER RILEY

19 This is Ronnie Lee Riley,  
20 R-o-n-n-i-e L-e-e R-i-l-e-y.

21 I have had a copper line landline  
22 since 1974. My wife and I live out in the  
23 country in Placer County where cell phone  
24 service is spotty at best. We can't be  
25 running outside to call our doctors and  
26 finding certain hotspots to be able to talk  
27 without being cut off.

28 We are also having an extreme

1 problem with telemarketers every single day,  
2 8, 10, 20. Seriously, something needs to be  
3 done about this.

4 And as a friendly reminder to AT&T,  
5 they need to remember that it was us landline  
6 copper line customers that made them be able  
7 to afford cell phones, cable, internet, all  
8 that stuff. If it weren't for us original  
9 landline holders, they would not have the  
10 technology at their fingertips today. They  
11 can't abandon this. Please don't. There's  
12 too many --

13 (Timer notification.)

14 SPEAKER RILEY: Thank you.

15 ALJ GLEGOLA: Thank you for your time  
16 today.

17 THE OPERATOR: Next, we have Guy  
18 Rosefelt. Guy, your line is open.

19 STATEMENT OF SPEAKER ROSEFELT

20 Hi, my name is Guy Rosefelt, G-u-y  
21 R-o-s-e-f-e-l-t. I live in the County of  
22 Riverside, just less than two football fields  
23 away from the city line of Desert Hot  
24 Springs, California, part of Palm Springs.

25 Ironically, Desert Hot Springs,  
26 California was one of the first cities in  
27 California to get fiber, and I haven't been  
28 able to get it because they won't go across

1 M-u-r-p-h-y. I live in El Dorado County, and  
2 I am a senior like so many of your previous  
3 callers. And the landline, we depend on; and  
4 it was the only way that we could get  
5 information on evacuation when the fires were  
6 going.

7 I -- my complaint is the high bill  
8 for seniors, and it keeps going up every  
9 month; it's like a dollar extra or so like  
10 that.

11 If you could help the seniors, so  
12 many of us would be truly grateful because we  
13 really depend on the landline; and I thank  
14 you so much for holding these hearings.

15 ALJ GLEGOLA: Thank you so much for  
16 your taking the time to call in.

17 THE OPERATOR: Next, we have Jonna  
18 Connelly.

19 Jonna, your line is open.

20 STATEMENT OF SPEAKER CONNELLY

21 Hi, can you hear me? I have --

22 THE OPERATOR: Yes, I can.

23 ALJ GLEGOLA: Yes, please continue.

24 SPEAKER CONNELLY: -- a landline as  
25 well, and had the same number since 1978; and  
26 I'll tell you the problem with AT&T up here.  
27 I live in Sonora, California, up in the  
28 mountains, which is huge wildfire area. If

1 -- if I didn't have my landline, I would have  
2 no access either to 9-1-1 or any of the other  
3 emergency numbers, and they have told me,  
4 "Don't use your cell phone if you need to  
5 call an ambulance, because we won't ever get  
6 your number. We can't even track you."

7 But my AT&T phone, I have had any so  
8 many problems with my landline and my DSL  
9 from them. I have been lied to repeatedly,  
10 and the technicians that have come out have  
11 verified that I have been lied to for so many  
12 years; and I have a book written with all of  
13 the entries in it, and I showed the last  
14 technician, who was just here a week ago, and  
15 he was, like, "Oh my goodness, I have never  
16 seen anything like that," because I want to  
17 track what is going on.

18 My landline -- and I have one living  
19 aunt in Oregon, so I have to call her often.  
20 She's 86, and she's extremely fragile --

21 (Timer notification.)

22 ALJ GLEGOLA: Thank you for sharing  
23 your experience with us today.

24 THE OPERATOR: Next, we have Jerry  
25 Wong.

26 Jerry, your line is open.

27 STATEMENT OF SPEAKER WONG

28 Okay. This is Jerry Wong, my --

1 internet. My provider is AT&T. My service  
2 is slow. I have to restart my computer at  
3 least five times a day, and I have traveled  
4 outside the United States to other parts of  
5 the world, and I find their internet service  
6 far better than what I have right here at my  
7 house.

8 So, thank you for having this issue  
9 to be said.

10 Thank you.

11 ALJ GLEGOLA: Thank you for your time  
12 today.

13 UNKNOWN MALE SPEAKER: Yeah, most --  
14 one guy was complaining about spam calls.

15 THE OPERATOR: Stand by. Apparently,  
16 we have an open line. Give me a moment, and  
17 I will get that corrected.

18 Next up, we have Stephanie Shlasky.

19 Stephanie, your line is now open.

20 STATEMENT OF SPEAKER SHLASKY

21 Hi, my name is Stephanie Shlasky.  
22 That's S-t-e-p-h-a-n-i-e. Shlasky is  
23 S-h-l-a-s-k-y.

24 I am calling about AT&T. I have a  
25 landline. I have always had a landline. My  
26 bill is now over \$104, and they used to have  
27 promotions where you would get something off.  
28 The last time I spoke with someone, they

1 advised me that they discontinued all  
2 promotions; and that is because they're  
3 trying to get rid of all the landlines.

4 This is ridiculous. I don't know  
5 what I would have done when I had to call  
6 9-1-1 if I didn't have a landline. This way  
7 they knew where I was. With a cell phone,  
8 who knows? I am in Pasadena. Cell reception  
9 can be a little iffy, because of the San  
10 Gabriel Mountains.

11 We need to maintain landlines, and  
12 we need to make sure that they aren't so darn  
13 expensive. I'm a senior citizen, and the  
14 rate keeps going up.

15 Anyway, thank you for listening. ]

16 ALJ GLEGOLA: Thanks for your time  
17 today.

18 THE OPERATOR: Next we have a person  
19 identified only as Yvette.

20 Yvette, your line is open.

21 STATEMENT OF SPEAKER YVETTE

22 Hello. Good afternoon. I've been  
23 on the phone for the last hour, and I'm  
24 listening to the various reasonings and  
25 they're all for keeping the landlines  
26 available, which I agree with.

27 Yes, most of us have cell service.  
28 However, I particularly moved my cell phone



1 absolutely no internet service.

2 (Timer notification.) ]

3 ALJ GLEGOLA: Thank you for calling in.

4 THE OPERATOR: Next, we have Lisa Chow.

5 Lisa, your line is open.

6 STATEMENT OF SPEAKER CHOW

7 Hi. Yes, I'm Lisa Chow. L, like  
8 in love; I, like in ice; T, like in -- S,  
9 like in Sam; A, like in apple. Chow. C,  
10 like in cat; H, like in hope; O, like in  
11 office; and W, like in whip.

12 I live in Berkeley, and I have a  
13 landline with AT&T, and it's been over 40  
14 years and I want to keep it. And the main  
15 reason is because I have a medical alert  
16 system, and it will not function on U-verse  
17 if the power goes out. And I'm very  
18 concerned about that. I need that medical  
19 alert system for emergencies, and I have had  
20 to use it. Also, I prefer using a landline,  
21 because I can hear my conversations much  
22 better.

23 And I am also concerned about the  
24 high cost, the rising cost of the landline.  
25 I used to pay less than \$20 a month. From  
26 what I'm hearing, it seems like it's very  
27 discriminatory, what AT&T is doing, raising  
28 the prices on the elderly and not considering



1 to you about is that I -- on November the 2nd  
2 and November the 3rd, I had no dial tone. My  
3 phone was -- I only have the landline. I  
4 don't have a computer, internet or a -- or a  
5 cell phone or any other others.

6 My phone was out on November the 2nd  
7 and the 3rd, there was no way I can contact  
8 you. I tried 6-1-1; that didn't work. Much  
9 later, I found out that you discontinued that  
10 service, 6-1-1. As I was driving to a local  
11 store, I happened to see one of your AT&T  
12 utility trucks. I approached him. He took  
13 down my name and phone number to pass it on.  
14 Two days later, I found him again. He said,  
15 "Yes, we are working on it, and you will have  
16 service soon," which I did.

17 So, in other words, for two days, I  
18 had no telephone. No way to contact in emer  
19 -- in a case of emergency, because all my  
20 neighbors have a cell phone. Now, I have  
21 something to argue with my son --

22 (Timer notification.)

23 ALJ GLEGOLA: Thank you for calling in  
24 today.

25 THE OPERATOR: Our next caller is Doug  
26 Respeader.

27 Doug --

28 ///

1 STATEMENT OF SPEAKER RESPEADER

2 Hello.

3 THE OPERATOR: -- your line is open.

4 SPEAKER RESPEADER: I am calling using  
5 my AT&T landline. It's serviced this house  
6 for 55 years, originally installed as a  
7 Pacific Bell line and, you know, it has only  
8 been out maybe three times in 55 years. The  
9 local technicians are great but getting  
10 through to somebody on the phone when you  
11 have a customer service issue is virtually  
12 impossible.

13 The main reason for my comment is I  
14 want to underscore the importance of  
15 maintaining the copper wire landlines. AT&T  
16 cell phone service does not service our  
17 neighborhood in Arnold, California. Verizon  
18 requires us to be either outside or very  
19 close to a window if using a cell phone. So,  
20 especially during winter storms when the  
21 power is out and cell phones don't work with  
22 snow in the trees, we want to make sure that  
23 AT&T maintains those copper lines.

24 So, thank you for taking that  
25 comment.

26 ALJ GLEGOLA: Thank you for calling in.

27 THE OPERATOR: Our next caller is  
28 Deanna Catalo[sic].

1 Deanna, your line is now open.

2 STATEMENT OF SPEAKER CATALANO

3 Hi, I hope it's me. It's Dina  
4 Catalano; D-i-n-a, C-a-t-a-l-a-n-o.

5 I am calling on behalf of my  
6 82-year-old dad, who has dementia and lives  
7 in rural Moccasin in Tuolumne County. He has  
8 AT&T for both cell and landline service. The  
9 cell service, unfortunately, is very shoddy  
10 and unreliable, and unless he goes outside to  
11 certain spots on the property, he doesn't  
12 have connectivity and service; therefore, he  
13 relies heavily on his landline, which seems  
14 to go down in that area on a somewhat regular  
15 basis.

16 He just lost service twice in the  
17 last two weeks. He has been without service  
18 anywhere from one to seven days, which is  
19 unacceptable. All the family lives at least  
20 two hours away, and it's critical that I be  
21 able to connect with my dad throughout the  
22 day to ensure he is taking his meds and  
23 recording his blood pressure. So, it's so  
24 imperative that the landlines are properly  
25 maintained and are replaced, so they're  
26 functional at all times. Especially in the  
27 event of an emergency, the ability for him to  
28 call 9-1-1 is critical.

1 I also think the cost he pays for  
2 the landline is excessive, and the scam calls  
3 are horrendous.

4 Thank you for your consideration.

5 ALJ GLEGOLA: Thank you for calling in  
6 today.

7 UNIDENTIFIED CALLER: Hello?

8 ALJ GLEGOLA: Hello.

9 THE OPERATOR: Your line is open.

10 STATEMENT OF SPEAKER ASHAOL

11 Okay. Thank you. My name is Folorulso  
12 Ashaolu, F-o-l-o-r-u-l-s-o; and last name  
13 A-s-h-a-o-l-u. I am calling from Stockton,  
14 California.

15 Good evening, Commissioner and the  
16 Judge. My issue is with AT&T. I want,  
17 please, to help get AT&T to port my number --  
18 (209) 957-4508, (209) 957-4508 -- to my new  
19 carrier, which I switched on the 24th, and I  
20 talk with the agent, but the agent said, "I  
21 can't do that once you," -- I have to reverse  
22 it. I don't owe them at all. For the  
23 14 years I've been with them, I have never  
24 owed them, so for poor support services and  
25 the -- whatever, they overspend and it's  
26 arbitrary, so that's why I change my --  
27 please, help me tell them to help me port my  
28 number to my new carrier.

1 calling in for the -- I have Comcast. I got  
2 out of the hospital on strong pain medicines  
3 and went to get the free internet and  
4 landline that I desperately need for 911 in  
5 case I get sick because I don't like the cell  
6 phone. I don't feel that they're accurate  
7 for 911.

8 And I'm being charged a lot, a lot  
9 of money that I do not ever -- the employees  
10 that work there, got my phone and started  
11 doing things and ordering things. And now  
12 I'm getting charged for it and threatened to  
13 be sent to small claims court. They just --  
14 I mean to the correction -- the collections  
15 office. They just recently turned off my  
16 phone. And they today turned it back on.

17 So that is -- I think that somebody  
18 can look into that. And a landline is very  
19 important to the disabled. Thank you for  
20 your time.

21 ALJ GLEGOLA: Thank you for your time.]

22 THE OPERATOR: Next, we have Cindy  
23 Hollister. Cindy, your line is open.

24 STATEMENT OF SPEAKER HOLLISTER

25 Hello, my name is Cindy Hollister,  
26 H-o-l-l-i-s-t-e-r. I'm a member of the  
27 Comptche Broadband Committee.

28 Please extend the quality standards

1 in Section 3 of the General Order 133-D to  
2 not only apply to traditional POTS, but to  
3 all technologies used to deliver essential  
4 services. Our small community of Comptche is  
5 served only by AT&T POTS with no other major  
6 cellular or internet services available. Our  
7 written comments of November 26th document  
8 the many outages we've sustained in 2022 and  
9 demonstrated the neglect essential service  
10 providers will use when strict laws aren't in  
11 place.

12 Our committee has worked with AT&T  
13 to draft Advice Letter 49108-A to replace our  
14 aging copper network with a fiber network for  
15 essential broadband services. Thank you very  
16 much.

17 ALJ GLEGOLA: Thank you.

18 THE OPERATOR: Next, we have Fern  
19 Burch. Fern, your line is open.

20 STATEMENT OF SPEAKER BURCH

21 Hi, I'm here. My name is Fern,  
22 F-e-r-n, Burch, B-u-r-c-h.

23 We have POTS and DSL. We've been  
24 told that AT&T will no longer support DSL and  
25 will force us to move to U-verse in 2023. If  
26 there's no electricity, we will have no 911,  
27 no phone service, no internet, and no ability  
28 to inform AT&T service is down. We don't

1 have AT&T for many years. More than a couple  
2 of lines, and always the service has been  
3 down. There's no point in the U-verse, as  
4 they have changed copper plans to VoIP and  
5 U-verse, and then they're (indecipherable) we  
6 have to go back to the landline. Customer  
7 service is not invested in landline support.  
8 And we have an old call number, 33827-A in  
9 Glendale, California and (indecipherable)  
10 that they have just stuck (indecipherable) to  
11 the new pole, and it's since 2016 that we are  
12 having problems and, you know, broken lines  
13 and everything, and they are not fixing it,  
14 after talking to many of the managers. So  
15 the support system is not there for the  
16 customer service regardless of even --

17 (Timer notification.)

18 ALJ GLEGOLA: Thank you for calling in.

19 THE OPERATOR: Next, we have Roger  
20 Ansom. Roger, your line is open.

21 STATEMENT OF SPEAKER ANSOM

22 Roger Ansom from Orange County,  
23 California.

24 Regarding Lifeline service, many of  
25 the service providers provide quad-core  
26 processor phones which don't operate properly  
27 if they operate at all. The Commission  
28 should mandate that they provide good quality



1 octa-core processor cell phones. And  
2 currently, the warranty on these phones is  
3 one year. After that, it becomes the owner's  
4 responsibility for maintenance and  
5 replacement. The Commission should mandate  
6 that they provide lifetime warranty,  
7 including battery replacement, if necessary,  
8 on lifeline phones, because if you're on a  
9 limited income, in this case \$14,000 a year,  
10 you can't afford to provide a new -- or buy a  
11 new unit.

12 Also, regarding spam, and phone  
13 calls and texts, which I receive, I  
14 understand that many of these calls are  
15 coming from disposable numbers, but I'm also  
16 finding that many calls --

17 (Timer notification.)

18 ALJ GLEGOLA: Thank you for calling in  
19 today.

20 THE OPERATOR: Next, we have Berret  
21 (phonetic).

22 STATEMENT OF SPEAKER BERRET

23 Hi. Thank you so much.

24 I am calling from La Honda,  
25 California, an unincorporated area of San  
26 Mateo County that's mountainous and covered  
27 with redwoods. We have no cell service  
28 there. We don't have the option for cell



1 service. Most of us have cell phones, but  
2 it's a 20-minute drive to make a call.

3 We're about a hundred year old  
4 community, and I'm calling for about 50  
5 households who have been battling with AT&T  
6 for the last six years. We've gone up  
7 through CPUC, the FCC. They've always found  
8 in our favor. AT&T says they're going to  
9 take care of the problem, and we'll have  
10 phones for more than nine or 10 months of the  
11 year. We often have outages as long a month.

12 Everything that we're told by  
13 everybody at AT&T appears to either be a lie  
14 or repeating what they've been told to say.  
15 It is clear to me that there's no  
16 accountability with AT&T with anybody, either  
17 the CPU -- whatever, California or the  
18 federal government --

19 (Timer notification.)

20 ALJ GLEGOLA: Thank you for your time  
21 today.

22 THE OPERATOR: Next, we have Dave  
23 Thomas. Dave, your line is open.

24 STATEMENT OF SPEAKER THOMAS

25 Yes, I'm a resident of up in the  
26 mountains, and I just want to speak for  
27 everybody else. We're in the same boat. We  
28 have no phones, you know. We have -- when

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA



**FILED**  
06/19/23  
10:18 AM  
R2203016

COMMISSIONER DARCIE HOUCK, in attendance  
ADMINISTRATIVE LAW JUDGE THOMAS J. GLEGOLA, presiding

Order Instituting Rulemaking Proceeding	)	PUBLIC
to Consider Amendments to General Order	)	PARTICIPATION
133.	)	HEARING
	)	
	)	
	)	Rulemaking
	)	22-03-016
	)	
	)	
	)	

REPORTERS' TRANSCRIPT  
Virtual Proceeding  
April 18, 2023  
Pages 304 - 429  
Volume 3

Reported by: Jason A. Stacey, CSR No. 14092  
Doris Huaman, CSR No. 10538  
Karly Powers, CSR No. 13991  
Rebekah L. DeRosa, CSR No. 8708  
Ashleigh E. Button, CSR No. 14013

1 today to share your experiences as telecommunications  
2 customers with us.

3 Again, we will be able to hear you best if you  
4 speak slowly and clearly and speak directly into your  
5 phone or headset. It is best not to use a speakerphone.  
6 And also, finally, if you are listening to this hearing  
7 using our live video feed, please remember to mute the  
8 speakers for that feed when you are speaking to us by  
9 telephone.

10 With that, could our operator please proceed  
11 with the first speaker in the queue.

12 THE OPERATOR: Thank you, sir. The public line  
13 is now open. Our first speaker is Figi Adomi.

14 STATEMENT OF SPEAKER ADOMI

15 SPEAKER ADOMI: (Indecipherable) yes.

16 THE OPERATOR: Thank you.

17 SPEAKER ADOMI: Okay. I'm a teacher. And in  
18 2022, January, I got a new phone and switched to  
19 Verizon. They gave me a new phone. I pay a lot of  
20 money. And the contract that I pay -- again, with  
21 teachers' discounts and all of these, I pay \$76 that  
22 they told me \$60. That's not important. The most  
23 important part, that I don't have a connection. And  
24 when I call them, they said, "Oh. This area, it doesn't  
25 work. 5G and the other one is not working." So I said,

1 "I live in this area." And then I said, "Okay, how  
2 about my school? I don't have connection in my" -- "Oh.  
3 It's the same area. We don't have a connection there."  
4 So what is the purpose of having phone --

5 (Timer notification.)

6 SPEAKER ADOMI: Hello?

7 (Call dropped.)

8 ALJ GLEGOLA: Hello. This is Judge Glegola.  
9 My phone dropped off. Are we -- can other folks hear  
10 me?

11 THE REPORTER: I can hear you, Judge. This is  
12 the court stenographer.

13 SPEAKER ADOMI: I hear you.

14 THE REPORTER: And I --

15 ALJ GLEGOLA: (Indecipherable) -- before that.  
16 Could you please continue with your comments.

17 SPEAKER ADOMI: Yes. So if I want to switch to  
18 another company, I have to pay penalty for the rest  
19 of the -- the end of 2004 (sic). So I am paying \$75 a  
20 month and not having service because I have a contract  
21 for two years with Verizon, and Verizon doesn't give me  
22 a service because at the time I really -- it's  
23 emergency, and I need to make a call. I don't have a  
24 service. So that's the only thing that I am calling.  
25 And on and on. I went to the Verizon, and they say,

1 "Oh. We can't do anything. If you want to switch, you  
2 have to pay the penalty." But I said, "The reason I  
3 want to switch because I don't have a service in my  
4 area. I don't have a service in my work area."

5 So what should I do? Is it fair that I pay  
6 more than -- altogether I pay \$600, and my new phone --  
7 iPhone 12, I switch to the phone -- iPhone 13. And I  
8 pay a lot of money. They lie about everything. They  
9 told me, "With teachers' discount, you get \$60 a month  
10 and Verizon credit card." I have Verizon credit card,  
11 and I submit my teacher credential. Still I pay \$75.  
12 But even this is not important as much as I need my  
13 phone. I need to have a service. And this is --  
14 really -- I cannot believe that the company like Verizon  
15 they want to take advantage of the people like me. This  
16 is why I got --

17 ALJ GLEGOLA: Ma'am. Ma'am, thank you so much  
18 for calling in.

19 SPEAKER ADOMI: Yes. I got off from work to  
20 talk to you guys (indecipherable) and let you know  
21 what's happening.

22 ALJ GLEGOLA: Thank you so much, ma'am. We  
23 really appreciate your calling in.

24 Operator, could you please bring the next  
25 caller up. ]

1 THE OPERATOR: Thank you. Our next speaker is  
2 Greg Hamilton, your line is open.

3 STATEMENT OF SPEAKER HAMILTON

4 Thank you. Hi, this is Greg Hamilton,  
5 H-a-m-i-l-t-o-n. My comments will be relating to AT&T's  
6 cell service.

7 I live in Castro Valley's California -- Castro  
8 Valley, California's Columbia housing division, which  
9 includes about 500 homes. For at least the northern two  
10 thirds of the Columbia division, there is at best poor,  
11 and much of the time, nonexistent AT&T's cell service.  
12 I found that all AT&T's customers in the Columbia  
13 division that I have spoken to have poor to nonexistent  
14 service.

15 I use AT&T's Mark the Spot mobile app to report  
16 multiple dropped calls, multiple failures to connect, et  
17 cetera, nobody has done anything. I called AT&T's  
18 customers service and was told, and I quote, "It is not  
19 a priority for AT&T to fix the issue."

20 We in the Columbia division would greatly  
21 appreciate receiving reasonable service.

22 Thank you for listening.

23 ALJ GLEGOLA: Thank you for your time today,  
24 sir.

25 Can we have our next caller, please, Operator?

1 STATEMENT OF SPEAKER CHINN

2 Hello?

3 ALJ GLEGOLA: Hello, please continue.

4 SPEAKER CHINN: Yes, I -- I think we got the  
5 name incorrectly. It's not Barry, it's Wayne Chinn,  
6 C-h-i-n-n; and I'm in San Francisco.

7 I was just wondering about the consumer  
8 protection responsibility, who that falls upon, and who  
9 we contact regarding enforcement in situations where you  
10 have a contract with the provider, but their equipment  
11 is failing, and their service is failing.

12 You know, I -- I assume there must be some  
13 agency that we can contact, so we can rectify this  
14 problem.

15 ALJ GLEGOLA: Thank you for calling in, sir.  
16 There's a couple of things that you can do. One of them  
17 is calling our -- I'm looking for the -- the actual  
18 number right now. I would call our Public Advisors  
19 Office, and the phone number for that is 1-866-849-8390.

20 So, that's -- that's this agency.

21 SPEAKER CHINN: Let me repeat that to you:  
22 1-866-849-8360; is that correct?

23 ALJ GLEGOLA: That's 8390.

24 SPEAKER CHINN: 8390, yes. Let me ask --

25 ALJ GLEGOLA: Correct.

1 SPEAKER CHINN: -- doesn't the provider have  
2 some responsibility for the equipment and the service?

3 ALJ GLEGOLA: So, it depends on the issue, sir,  
4 but you probably need to file a complaint; and you  
5 probably need -- I mean, yeah. So, then, we are looking  
6 at adopting certain rules for wireless. It sounds like  
7 you're talking about wireless, and we don't have those  
8 rules yet.

9 SPEAKER CHINN: Yeah, you know, they signed me  
10 up for a contract, and then they give you a piece of  
11 equipment; and if the piece of equipment is faulty, you  
12 know, they don't take any responsibility for it.

13 So, why am I tied into a two-year contract when  
14 the equipment doesn't work?

15 ALJ GLEGOLA: Sir, thank you very much for  
16 calling in today. I would encourage you to -- to -- to  
17 call the Public Advisors Office, and they can help you  
18 file a complaint.

19 Thank you very much.

20 Our next --

21 THE OPERATOR: Our next public comment comes  
22 from Lori Kammerer.

23 Your line is open.

24 STATEMENT OF SPEAKER KAMMERER

25 Thank you. Good afternoon, chair and



1 these services to continue to innovate and address the  
2 needs of their users (indecipherable) top-down dictation  
3 as is prescribed in the proposal.

4 Thank you very much.

5 ALJ GLEGOLA: Thank you for calling in today.

6 Could we have our next comment, please.

7 THE OPERATOR: Our next public comment comes  
8 from Leslie Asher.

9 Your line is open.

10 STATEMENT OF SPEAKER ASHER

11 Thank you. Three quick points about Verizon  
12 and Xfinity and Comcast in my neighborhood in the City  
13 of Marina. Number one, the cell signals are very weak  
14 in my neighborhood, called The Dunes, which is built on  
15 former army Fort Ord property. Number two, if Comcast  
16 fails, Verizon also fails leaving myself unable to make  
17 any calls to people, businesses or government agencies.  
18 And three, during a broad and lengthy --

19 (Timer notification.)

20 SPEAKER ASHER: -- as occurred late last week,  
21 no communication is provided during or after from  
22 Comcast or Verizon.

23 Thank you.

24 ALJ GLEGOLA: Thank you for calling in today.

25 Could we have our next comment, please.

1 from Eve Sutton.

2 Your line is open.

3 STATEMENT OF SPEAKER SUTTON

4 Thank you. My name is Eve Sutton, E-v-e  
5 S-u-t-t-o-n, calling from East Palo Alto, California,  
6 which is San Mateo County, not regular Palo Alto. We  
7 have numerous power outages, frequent power outages. In  
8 February, my power was out for three days. And the  
9 corded landline phone I'm using now with this beautiful  
10 connection is the only way I had communication. It  
11 lasted long after my cellphone battery died and my  
12 internet connection was gone and my laptop battery died.

13 The corded landline phones are really a  
14 lifesaver, and that's why I keep two of them. I'm  
15 paying for two corded landline phones with AT&T. If one  
16 phone is busy, I have it set up so that it  
17 automatically -- the call -- incoming call  
18 automatically --

19 (Timer notification.)

20 SPEAKER SUTTON: So I really want to keep my  
21 POTS service, but if I get fiber internet, they are  
22 going to cancel my copper line. And I need to have  
23 both. If I'm going to have fiber, I want the copper  
24 landline. I'm still bombarded with ads to switch to  
25 fiber. I keep telling them, "Stop advertising to me" --

1 (Timer notification.)

2 SPEAKER SUTTON: -- robo calls that supposedly  
3 cannot be stopped unless I have a fiber line. That's  
4 ridiculous.

5 I'm suggesting you call two names at a time for  
6 the commenters so we can get ready for your call to --

7 ALJ GLEGOLA: Okay. Thanks for calling in.

8 If we could have our next commenter, please.

9 THE OPERATOR: Our next public comment comes  
10 from Walter Adams.

11 Your line is open.

12 STATEMENT OF SPEAKER ADAMS

13 Yes. Thank you for taking my call. I'll try  
14 to consolidate the thought here. We live in a canyon  
15 area in Los Angeles, and as a result of that, we have no  
16 cell signal available to us. The real problem is the  
17 infrastructure in our area is probably five or six  
18 decades old. And we are continuously having problems  
19 with the copper wirelines.

20 Internet is not really a good option for us  
21 because when the power goes down -- we had 17 power  
22 failures in our area since January '23. One was four  
23 days long. When the power goes out, we have no cell, no  
24 internet, and actually our phone system goes out as  
25 well. So I understand the importance of working towards

1 new technology, but in some areas, especially in the  
2 canyon areas, you may need to keep the copper wire for a  
3 while.

4 Thank you.

5 ALJ GLEGOLA: Thank you for calling in.

6 Can we please have our next commenter.

7 THE OPERATOR: Our next public comment comes  
8 from Steven Hekeemean.

9 Your line is open.

10 STATEMENT OF SPEAKER HEKEEMEAN

11 Thank you so much. I appreciate the ability to  
12 share. A couple of thoughts and quick story. About  
13 20-odd years ago, my wife took a position as a volunteer  
14 up in Frasier Park. And not kind of knowing what cell  
15 carrier was preferred up there, we called a video store,  
16 and the young kid said, "Oh. You got to go with  
17 Cingular," and we had a nice signal up at the camp.

18 My buddy just called, who works at Caltech JPL  
19 here in Pasadena 91104 at the foothills about two  
20 miles from -- one mile from a freeway and no hills  
21 blocking our signal, and he was saying, "Hey, I got to  
22 take a corporate phone. Should I go AT&T or Verizon?"  
23 So I have both and neither provides a signal. So I'm  
24 using WiFi calling at home. Would love a better signal  
25 from both carriers.

1 SPEAKER CARROLL: -- personal identification.

2 ALJ GLEGOLA: Thank you for calling in today.

3 Could we have our next commenter, please.

4 THE OPERATOR: Our next public comment comes  
5 from Nancy Taylor.

6 Your line is open.

7 STATEMENT OF SPEAKER TAYLOR

8 Thank you. I'm calling about my POTS line.

9 It's Nancy Taylor, N-a-n-c-y T-a-y-l-o-r. I live in  
10 Auburn, and I have a POTS line because I have a medical  
11 condition that require me to have a reliable telephone.  
12 Unfortunately VoIP or any of those other Internet type  
13 of services all rely on electricity, which does not suit  
14 my situation. Recently, in January, during a rainstorm,  
15 our phone went out, called AT&T for service, and they  
16 quoted me a 13-day due date to fix my service, which I  
17 think is totally unreasonable.

18 (Timer notification.)

19 SPEAKER TAYLOR: Unfortunately, our service was  
20 restored prior to that. I don't think AT&T ever came  
21 out and did anything on it. The wires had gotten wet,  
22 and it just dried out. And so it sort of fixed itself,  
23 which means --

24 (Timer notification.)

25 SPEAKER TAYLOR: -- that every time the rain

1 starts, we have an issue. Thank you.

2 ALJ GLEGOLA: Thank you for calling in today.

3 Could we have our next commenter, please.

4 THE OPERATOR: Our next public comment comes  
5 from Victoria Taylor.

6 Your line is open.

7 (No response.)

8 THE OPERATOR: Victoria Taylor, your line is  
9 open. ]

10 STATEMENT OF SPEAKER TAYLOR

11 Can you hear me okay?

12 ALJ GLEGOLA: Yes, please continue.

13 (No response.)

14 ALJ GLEGOLA: Please continue.

15 (No response.)

16 ALJ GLEGOLA: We hear you; can you please  
17 continue?

18 THE OPERATOR: Your Honor, we can come back to  
19 Victoria, if we get her back this the queue. If you  
20 give me a couple of minutes, I will see if I can grab  
21 her back.

22 ALJ GLEGOLA: Thank you for much.

23 THE PEOPLE: You're welcome.

24 Our next public comment comes from William  
25 Alfer.

1 STATEMENT OF SPEAKER UMBRIGHT

2 Yes, this is Keith Umbright. I live in a large  
3 housing track in Oceanside, California; and when I first  
4 started with Verizon, I had five bars and great service.  
5 Each year the signal strength goes down. Now it's at  
6 one to no bars and no service where I am at. I haven't  
7 moved.

8 When I make a call, a lot of times, it's  
9 breaking up, and people tell me they can only hear the  
10 third or fourth word I am saying. Sometimes when I go  
11 to make a call, I get a message saying, "voice  
12 communications not available in your location." Again,  
13 I haven't moved. I call tech support and they tell you,  
14 "oh, yeah, you're in a poor reception area, and there's  
15 nothing we can do about that."

16 I have --

17 (Timer notification.)

18 SPEAKER UMBRIGHT: -- updated my phone, and I  
19 have an up-to-date phone. It takes all the bands or 5G  
20 ultra. It's not a phone. Basically, it sounds like the  
21 cell towers are overloaded, and they say, it'll take  
22 years and years before they can update that.

23 Thank you.

24 (Timer notification.)

25 ALJ GLEGOLA: Thank you for calling in today.

1 Can we have the next commenter, please?

2 THE OPERATOR: Our next comment comes from  
3 Robin Loven.

4 Your line is open.

5 STATEMENT OF SPEAKER LOVEN

6 Hello, my name is Robin Loven. I am in LA  
7 county in the San Diego Valley, and I am calling -- by  
8 the way, thank you, Judge, and everyone there for giving  
9 us this opportunity today.

10 My complaint is that as the gentleman  
11 previously that spoke, I -- I upgraded to a 5G, and I  
12 have been with Verizon since 2004 and every year it  
13 seems like the signal strength goes down and the cell  
14 towers are less and less and less, and they're  
15 overloaded, I am also concerned with the fact that all  
16 these calls that come in from robots and asking to  
17 upgrade our solar and our roofs and all that stuff, and  
18 then there's not really anybody there. You call the  
19 number back, and it's an unusable line, so I am  
20 wondering how that information is --

21 (Timer notification.)

22 SPEAKER LOVEN: -- is given out, how our phone  
23 numbers are getting out to these things, and why isn't  
24 the cell companies blocking all that stuff?

25 So, anyway, thank you for your time and --



1 go through that process, and then, basically --

2 (Timer notification.)

3 SPEAKER UNKNOWN: -- we need to purchase a  
4 booster, and we're like, "We pay over \$200 a month. I  
5 am not buying your equipment just to be told that it  
6 might work because we've had just this bad experience,"  
7 but what I am hearing from everybody else, it doesn't  
8 seem to matter what carrier you go through, but I did  
9 just want to express that.

10 Thank you so much.

11 ALJ GLEGOLA: Thank you for calling in today.

12 Can we have our next commenter, please?

13 THE OPERATOR: Our next public comment comes  
14 from Betsy Blaysiskee.

15 Your line is open.

16 STATEMENT OF SPEAKER BLAYSISKEE

17 Hi, my name is Betsy Blaysiskee. Can you hear  
18 me?

19 ALJ GLEGOLA: Yes, please continue.

20 SPEAKER BLAYSISKEE: Okay. I live in San Juan  
21 Capistrano Dana Point area in California, and my cell  
22 phone service is Verizon; and I had the same problems  
23 with everybody else, like, the drop off phone calls, and  
24 the delayed of receiving emails and texts while, you  
25 know, I have unlimited, you know, data.

1 www.cpuc.ca.gov/PPH, and there should be a spreadsheet  
2 with a number -- telephone numbers including your  
3 company; and they are supposed to have someone available  
4 at this time to help resolve these types of issues.

5 Hopefully that helps.

6 Can we have our next caller, please?

7 THE OPERATOR: Our next public comment comes  
8 from Doris Garrett.

9 Your line is open.

10 STATEMENT OF SPEAKER GARRETT

11 Yes, I have some concerns about my cell phone  
12 service. I have AT&T, and I live in Riverside in the  
13 Canyon Crest area. I have had a lot of problems for a  
14 lot of years, and I have had them come out many times.  
15 Even the service people that come out that are working  
16 on my service say, "I can't get a signal unless I walk  
17 down the street," I am like, "Really? That's a  
18 problem."

19 Okay. So, even in trying to resolve it, I have  
20 upgraded my phone. I've changed EIM number. I have  
21 done many things, and I am really tired of their being  
22 problems. The calls drop. They get garbled, and  
23 something needs to get done.

24 Do something. We're all fed up.

25 Thank you.

1           ALJ GLEGOLA: Thank you so much for calling in  
2 today.

3           Can we please have our next commenter?

4           THE OPERATOR: Our next public comment comes  
5 from Kevin Moore.

6           Your line is open.

7                         STATEMENT OF SPEAKER MOORE

8           Hello, this is Kevin Moore from Petaluma,  
9 California. I am calling about Verizon. I have lived  
10 in the city for, like, 27 years, had great service until  
11 they started moving, I guess, 2G and 3G cell towers.

12           So, for about three years now, I have had  
13 very -- I can't make phone calls in my house. I have to  
14 use WiFi calling in order to make calls, and they've  
15 determined that I have poor service in my area; and I  
16 finally talked with some higher-tier support, and they  
17 said that there's nothing they can do; and I said, "Can  
18 you put in a new cell tower?" And they were, like,  
19 "Well, that would just cost too much money."

20           So, that is my comment.

21           ALJ GLEGOLA: Thank you so much for calling in  
22 today. We appreciate that feedback.

23           Could I have the next caller, please?

24           THE OPERATOR: Our next caller is Sherry Flint.

25           Your line is open.

1 STATEMENT OF SPEAKER FLINT

2 Hi. I think it's Sherry Flint, F-l-i-n-t, and  
3 I am from Springville, California, which is a very rural  
4 community; and we only have AT&T available to us.  
5 They've been granted a monopoly, and some years ago, it  
6 was pretty reliable service, but I just wanted to  
7 connect and -- and make the plea for how expensive it is  
8 for them to have such bad service, and we don't have any  
9 other opportunity.

10 The cell phone goes out regularly. It drops  
11 off and on, and then sometimes it'll go out for days.  
12 Every time you call AT&T, it's hours for customer  
13 service. They've never acknowledged that they have a  
14 system failure even though I'm aware that many people in  
15 the community are having the same problem at the same  
16 time.

17 In retrospect, it has never been a phone  
18 problem, for me, at least; it has always been a service  
19 problem.

20 (Timer notification.)

21 SPEAKER FLINT: It requires that I go ahead and  
22 maintain a landline. It also requires that I maintain  
23 satellite internet service. Like I said, I live very  
24 rurally, and I am handicapped. I have to have the  
25 communication, and it costs me over \$300 a month.

1 (Timer notification.)

2 SPEAKER FLINT: Thank you.

3 ALJ GLEGOLA: Thank you so much for calling in.  
4 Appreciate that feedback.

5 Can we have our next commenter, please?

6 THE OPERATOR: Our next comment comes from  
7 Timothy Lee.

8 Your line is open.

9 STATEMENT OF SPEAKER LEE

10 Hi. Thank you so much for this opportunity to  
11 comment. My name is Timothy Lee. I was calling to tell  
12 you that we have lost the phone and internet service  
13 between January 6th of this year and April 17th. I just  
14 got phone service back in time to make this comment.

15 Anyways, we have Sonic and Sonic uses AT&Ts  
16 infrastructure to provide service to us, and the delay  
17 in the restoring our service is due to some problems  
18 that AT&T has with their infrastructure; and I think  
19 that the -- the thing is that I want to tell you that  
20 landline is reliable, and it's -- it should be kept and  
21 it should be maintained, so they can keep it up.

22 (Timer notification.)

23 SPEAKER LEE: The thing is the other land --  
24 internet and phone -- cell phone service require  
25 electric power, and the landline works with no power.

1 monitoring and my phone call, my Face Time. They not  
2 only went to my personal information, my family  
3 information, they are spying some information for like  
4 area here. Because I --

5 ALJ GLEGOLA: Thank you for calling in to share  
6 today.

7 SPEAKER JUNG: Thank you.

8 ALJ GLEGOLA: Thank you for calling in to  
9 share.

10 Can we please have our next commenter.

11 THE OPERATOR: Our next commenter comes from  
12 Alex Dardick.

13 Your line is open.

14 STATEMENT OF SPEAKER DARDICK

15 Yeah. Hi. My name is Alex. I live in  
16 Los Angeles. I live in Laurel Canyon. I have AT&T. I  
17 pretty much never have cellphone service in my house.  
18 As multiple people have said before me, I've lived here  
19 since 2011. Everything has gotten progressively worse.  
20 I also have very spotty cellphone service in the rest of  
21 L.A. generally.

22 So I live in the second biggest city in the  
23 United States, and I cannot rely on my cellphone  
24 service. How is this happening? Why can I not reliably  
25 use my cellphone? You've heard all these people talking

1 about it. We're all having the same problems. What  
2 could be more basic in the year 2023 than being able to  
3 use our cellphones regularly for phone calls?

4 Please let me know if there is anywhere I can  
5 follow-up to see if anything is going --

6 (Timer notification.)

7 SPEAKER DARDICK: -- and just if the State of  
8 California and the government of California is going to  
9 do anything to meaningfully put pressure on any of these  
10 mega companies to actually make our cell service better.

11 Thank you.

12 ALJ GLEGOLA: Thank you for that feedback  
13 today.

14 Can we please have our next caller.

15 THE OPERATOR: Our next caller comes from  
16 Dormain Herman.

17 Your line is open.

18 STATEMENT OF SPEAKER HERMAN

19 Yes. Hello. I live in Napa, California. I've  
20 been a customer with Verizon for over 10 years. This  
21 public hearing has been very eye opening, and I have a  
22 lot of empathy and sympathy for a lot of the things that  
23 I'm hearing. I also echo what Alex just said.

24 I've been having issues with Verizon since they  
25 changed to 5G service and 5G phones, multiple dropped

1 calls, no service at all, no bars. Voicemail is not  
2 taken, recorded even though you're paying for the  
3 voice-to-text system. Calls not going through and  
4 needing to restart the phone and wait for that to  
5 restart. It feels like the phone is changing towers  
6 through the Napa Valley.

7 On a three-mile radius, there are many areas  
8 with no service at all. When we had 4G for over seven  
9 years, we never had an issue. My whole family is on the  
10 unlimited plan, and we pay \$420.16 per month for five  
11 people. One individual is a teacher. I tried calling  
12 Verizon a number of times. They act like they are doing  
13 something in the settings to your phone to fix the  
14 problem, but it does not correct the issue and you are  
15 caused to call again and let them know about the  
16 continuous issues. We are good customers --

17 (Timer notification.)

18 SPEAKER HERMAN: -- pay our bills on time, and  
19 with auto-pay, never an issue with us on follow-through  
20 of our requirements and commitments. And we upgrade our  
21 phones and equipment on a regular basis.

22 Thank you for taking my comments.

23 ALJ GLEGOLA: Thank you for calling in to share  
24 today.

25 Could we have our next commenter, please.



1 THE OPERATOR: Thank you. Before we go to the  
2 next caller, I wish to note, if you wish to speak during  
3 the comment period, please press star one on your  
4 telephone and clearly state your first and last name  
5 when prompted.

6 Our next caller is Jarbar Brustal.

7 Your line is open.

8 STATEMENT OF SPEAKER BRUSTAL

9 Yes. Hi. Good afternoon to everyone. I live  
10 in the Hollywood area, and I've been a Verizon customer  
11 for about two years now. I use my cellphone and devices  
12 mostly for work. The issues I've been having, like most  
13 of the people I've heard on this forum, are Verizon's  
14 poor signal. Many of the robo -- I've been receiving  
15 many robo calls lately, many dropped (indecipherable)  
16 calls.

17 I tried to call for, you know, for the tech  
18 support. It takes about two -- like over an hour on the  
19 phone and getting dropped as well when you're in the  
20 middle of that. The only way is to go to the  
21 brick-and-mortar store, which is really a hassle. I've  
22 sent several emails as well and never get any responses.  
23 I have a top-of-the-line phone from them and pay their  
24 highest fees.

25 (Timer notification.)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE  
STATE OF CALIFORNIA



**FILED**

06/29/23

02:38 PM

R2203016

ADMINISTRATIVE LAW JUDGE THOMAS J. GLEGOLA, presiding

Order Instituting Rulemaking Proceeding	)	PUBLIC
to Consider Amendments to General Order	)	PARTICIPATION
133.	)	HEARING
	)	
	)	
	)	
	)	
	)	Rulemaking
	)	22-03-016
	)	

REPORTERS' TRANSCRIPT  
Virtual Proceeding  
May 3, 2023  
Pages 430 - 517  
Volume 4

Reported by: Karly Powers, CSR No. 13991  
Shannon Ross Winters, CSR No. 8916  
Lisa M. Welch, CSR No. 10928  
Ashleigh E. Button, CSR No. 14013

1     rely on having a dial tone.  It's stressful.

2             Some neighbors were phoneless for months this  
3     winter.  Our inter option is HughesNet, period.  No DSL,  
4     no Starlink, no DigitalPath, no other option.  HughesNet  
5     is --

6             (Timer notification.)

7             SPEAKER SNOW:  -- extremely unreliable and  
8     slow.  I spent 30 minutes today loading Gmail.  Just  
9     wanted you to know.  21 years of this.  It's just scary.

10            Thank you, bye.

11            ALJ GLEGOLA:  Thank you so much for calling in  
12     today.  That's why we're here.

13            Can we have our next commenter, please?

14            THE OPERATOR:  Our next public comment comes  
15     from Vicki Hudson.

16            Vicki, your line is open.

17            STATEMENT OF SPEAKER HUDSON

18            Hi, my name is Vicki Hudson, H-u-d-s-o-n.  I  
19     live in the Hayward Hills, H-a-y-w-a-r-d.

20            My comments have regard for AT&T's poor service  
21     in the Hayward Hills.  We literally have not a bar, but  
22     a dot.  We got our service two weeks into April, and two  
23     weeks later, we had to move because the house was  
24     uninhabitable.  We moved to the area, and we were  
25     expecting service; however, as a result of this, we want

1 to ask for the following things be considered to be put  
2 into law:

3 That consumers have increased time to determine  
4 if a provider is sufficient. 14 days is not enough.

5 Return of trade-in value with services canceled  
6 and the phones are returned. AT&T wants to keep my  
7 \$1500 trade-in value.

8 Option to pay off the new phone with full  
9 trade-in value applied.

10 Ability to cancel services --

11 (Timer notification.)

12 SPEAKER HUDSON: -- before and, finally, a  
13 signal booster at no cost to assist our service.

14 Thank you for the opportunity to give these  
15 comments.

16 ALJ GLEGOLA: Thank you so much for calling in.  
17 That's why we're here.

18 Can we have our next caller, please?

19 THE OPERATOR: Our next public comment comes  
20 from Eileen Morgan.

21 Eileen, your line is open.

22 STATEMENT OF SPEAKER MORGAN

23 Hello, Judge. My name is Eileen Morgan; last  
24 name: M-o-r-g-a-n, and I live in Walnut Creek,  
25 California. I am a grad student attending the

STATEMENT OF SPEAKER FAJKOS

Thank you. Hello. My name Chris Fajkos,  
F-a-j-k-o-s, and I'm a full-time resident of Truckee,  
California.

I'm a Verizon customer, and they're very dead  
zones in the Truckee/Tahoe area that need to be  
addressed, not just because I pay for the service and  
should have reliable service or for the personal usage I  
enjoy from that service, but more importantly for the  
safety and security of the Truckee/Tahoe area. We are a  
tourism-based economy and have seen influxes of hundreds  
of thousands of people throughout the year especially  
during the summer and ski season. Having reliable  
communication is crucial in the event our area that's  
located within a high-fire hazard area experiences a  
wildfire even in the winter when we experience intense  
winter storm activity much like we did this year which  
was a record-setting year with over 65 feet of snow.  
Please we need to bolsters these services immediately  
for the shear sake of public safety.

And I actually have a connection to the CPUC.  
When I first moved to Truckee from the Bay Area, I took  
a project manager position with a local non-profit --

(Timer notification.)

SPEAKER FAJKOS: -- (indecipherable) Center to

1 help them carry out their connected title project, a  
2 project funded through a grant from the CPUC to help  
3 extend cell and internet service to underserved carriers  
4 around Lake Tahoe basin. I was there for two years, and  
5 it was absolutely frustrating dealing with the  
6 multi-billion dollar communications companies that never  
7 seemed to take --

8 (Timer notification.)

9 SPEAKER FAJKOS: -- it seriously. If it  
10 doesn't pan out for them, they simply don't care, which  
11 I completely understand. So perhaps that particular  
12 grant could have been better used toward building the  
13 actual infrastructure rather than paying me to convene  
14 meetings and conduct more studies.

15 Again, please we need to bolster these services  
16 immediately. Thank you for your time.

17 ALJ GLEGOLA: Thank you so much for calling in.  
18 Can we have our next commenter, please.

19 THE OPERATOR: Our next public comment comes  
20 from Darlene Dokey.

21 Your line is open.

22 STATEMENT OF SPEAKER DOKEY

23 Hi. My name is Darlene Dokey, D-o-k-e-y. My  
24 husband and I live in Lincoln, California. And since  
25 moving here last year, we have no cell service. It's

1 very spotty even with AT&T, T-Mobile. We've checked  
2 around with other neighbors out here to see if they have  
3 better cell service. And like the lady said earlier, we  
4 have like one dot.

5 We are stuck with having to do wifi calling of  
6 which we have with AT&T, and it's pretty bad itself. So  
7 we're kind of in the same situation. We're in a 55 and  
8 older community along with another one that backs up to  
9 Sunset Lincoln Hills, which is huge. And we run risk of  
10 not getting any care from emergency services.

11 (Timer notification.)

12 SPEAKER DOKEY: The other thing is we've driven  
13 around numerous times to find cell towers, and there's  
14 not one anywhere near us.

15 Thank you.

16 ALJ GLEGOLA: Thank you so much for calling in.  
17 Could we have our next commenter, please.

18 THE OPERATOR: Our next public comment comes  
19 from Joann Kilburn.

20 Your line is open.

21 STATEMENT OF SPEAKER KILBURN

22 Hi. I also have a comment about Lake Tahoe. I  
23 noticed that there has been some pushback from local  
24 residents and other groups that are trying to not have  
25 more cell towers put into the area. So I wanted to know

1 I shouldn't be living up here. I think that is  
2 ridiculous, and it's inappropriate and as another person  
3 said earlier, most of the time when I call, I receive  
4 somebody that has been outsourced. They are not even in  
5 this country.

6 Thank you. That's all I have to say. I hope  
7 you can resolve these issues.

8 ALJ GLEGOLA: Thank you so much for calling and  
9 sharing.

10 Can we have our next commenter, please?

11 THE OPERATOR: Our next public comment comes  
12 from Carol Saul.

13 Your line is open.

14 STATEMENT OF SPEAKER SAUL

15 Thank you. My name is Carol Saul. I'm the  
16 acting chief of the Trinity Center Volunteer Fire  
17 Department in Trinity Center, California.

18 I am calling about public safety concerns  
19 regarding about the failure of both the landline and  
20 cell service in our area this winter. The Verizon tower  
21 does not have a backup power system, so when the power  
22 goes out, which has been frequently this winter,  
23 residents with cell phones are unable to call 9-1-1.

24 We have a text group for the volunteer  
25 firefighters to coordinate responses fur energies and



1 they did not work. We also had an issue with TDS  
2 landline. We were down for a month due to ice on the  
3 tower and lack of a backup system. Both of these  
4 outages affected public safety in our area. Residents  
5 were actually driving to firefighter's houses to access  
6 a radio to dispatch help.

7 So, we would greatly appreciate your help in --

8 (Timer notification.)

9 Resolving these issues.

10 ALJ GLEGOLA: Thank you for calling in and  
11 sharing today.

12 Can we have our next caller, please?

13 THE OPERATOR: Our next public comment comes  
14 from David Kiddinger.

15 Your line is open.

16 STATEMENT OF SPEAKER KIDDINGER

17 Thank you very much for holding this forum.  
18 This is David Kiddinger, and I live in Camarillo,  
19 California. My concern is with AT&T's wireless. We  
20 live in an area where we don't get very good cell  
21 service. This is a new community; and so, I would like  
22 to get -- I tried to get my phone on wireless calling,  
23 but I can't seem to do that, because it says my address  
24 is not in 9-1-1 database. I have been in this house in  
25 a year and a half. Multiple calls to AT&T over the past

1 the comments you've already received.

2 The need for cell service that is steady and  
3 accurate, broadband service that is steady and accurate  
4 for our students is huge in order for them to  
5 participate fully in their educational program.

6 We look forward to the work that you are going  
7 to do on this issue, and we look forward to the further  
8 Phase 2 hearing on actual internet services.

9 Thank you very much.

10 ALJ GLEGOLA: Thank you so much for calling in.  
11 Can we have our next caller, please?

12 THE OPERATOR: Our next comment comes from Lisa  
13 Rotell.

14 Your line is open.

15 STATEMENT OF SPEAKER ROTELL

16 Hi, my name is Lisa Rotell. It is R-o-t-e-l-l,  
17 and I am a former employee of AT&T for 22 years. I live  
18 in Crockett, California, which is part of the San  
19 Francisco metro Bay Area; and I have lived in this home  
20 for a year and a half.

21 Last summer, I had an emergency at my home. I  
22 get one bar in parts of my home. I have a wifi  
23 extender, which does not work in the rest of my home.  
24 The rest of my home gives an SOS signal, but I had an  
25 outdoor emergency, and I was unable to call 9-1-1 during

1 that outdoor emergency on my front lawn. I had to go  
2 inside the home to make a 9-1-1 call and look at the  
3 person who was in distress from my window, so I could  
4 speak to the 9-1-1 operator.

5 (Timer notification.)

6 SPEAKER HOFFMAN: As an employee of AT&T, I  
7 called the office of the president to see if I could get  
8 this resolved. I actually live two doors down from the  
9 CEO, and they recommended a cell booster. That cell  
10 booster has to be put into a window next to the modem,  
11 which is in the garage and there are no windows.

12 I just think that --

13 (Timer notification.)

14 SPEAKER HOFFMAN: -- anybody who is in the same  
15 type of situation, this is a safety concern. I use wifi  
16 calling in my home. Anybody else who comes into my home  
17 would not be able to make a phone call unless I was  
18 there to give them the wifi password.

19 So, I just -- please see if something can be  
20 done about getting better service in our area.

21 Thank you.

22 ALJ GLEGOLA: Thank you so much for calling in  
23 today.

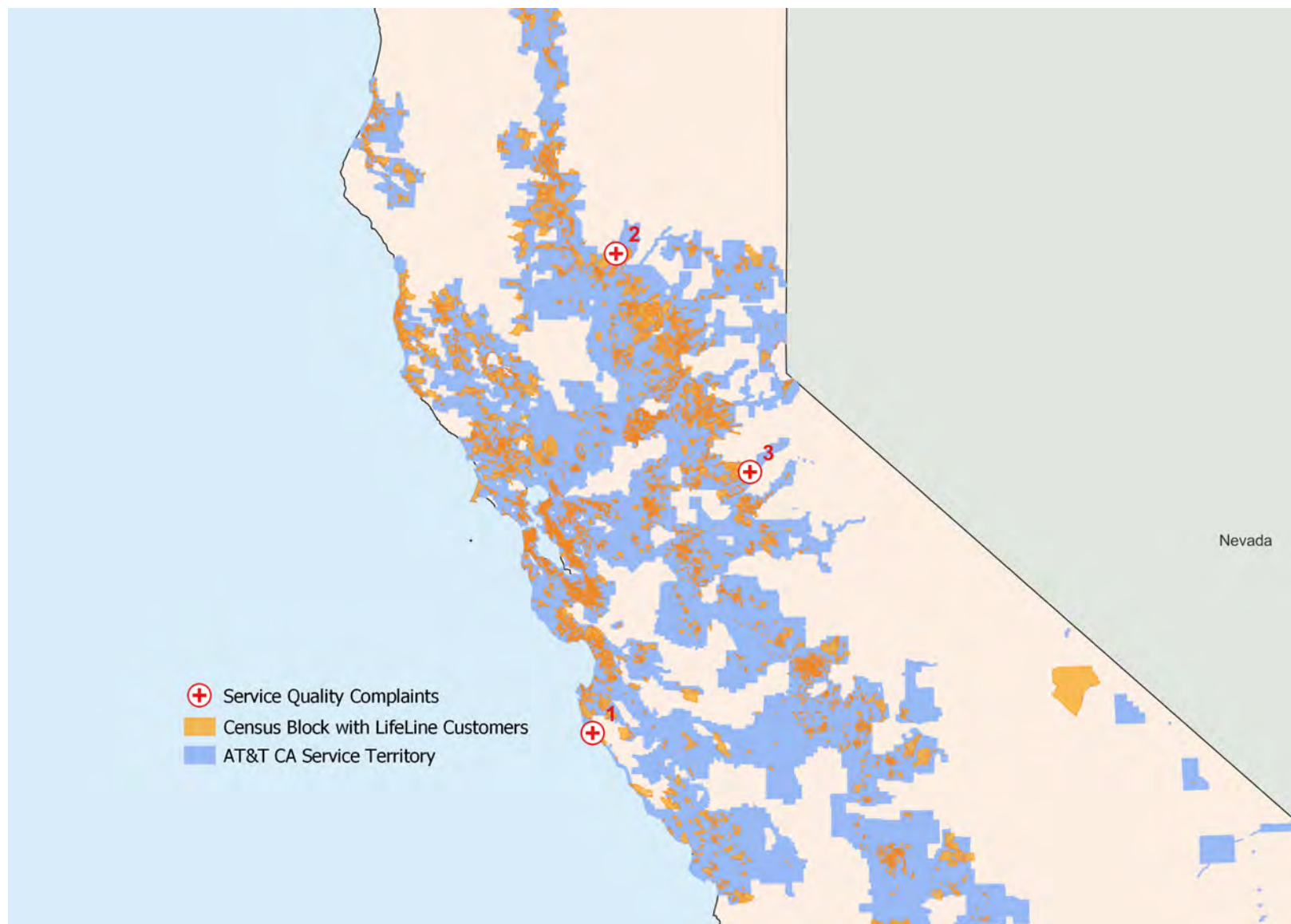
24 Can we have our next caller, please?

25 THE OPERATOR: Our next public comment comes

# EXHIBIT SMB-9

## Three Examples of Poor or Nonexistent Wireless Service in AT&T's Service Territory

Exhibit SMB-9  
Application 23-03-002



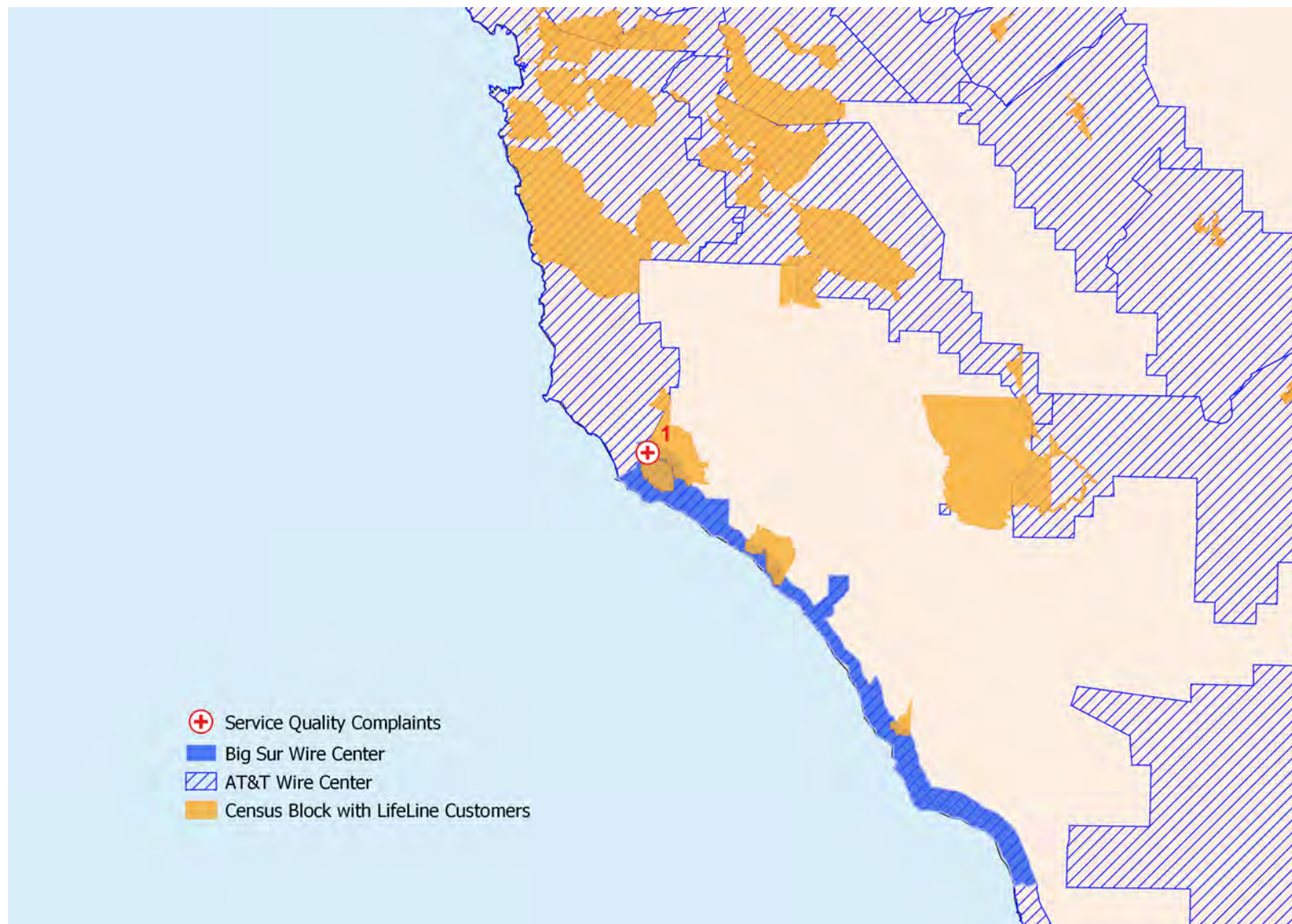
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6); SQ Complaints: CPUC Rulemaking 22-03-016, Tr. December 8, 2022, Volume 2. Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip)

# EXHIBIT SMB-10



# Overlap in Big Sur Between Lack of Reliable Wireless Service and Lifeline Customers' Residences

Exhibit SMB-10  
Application 23-03-002



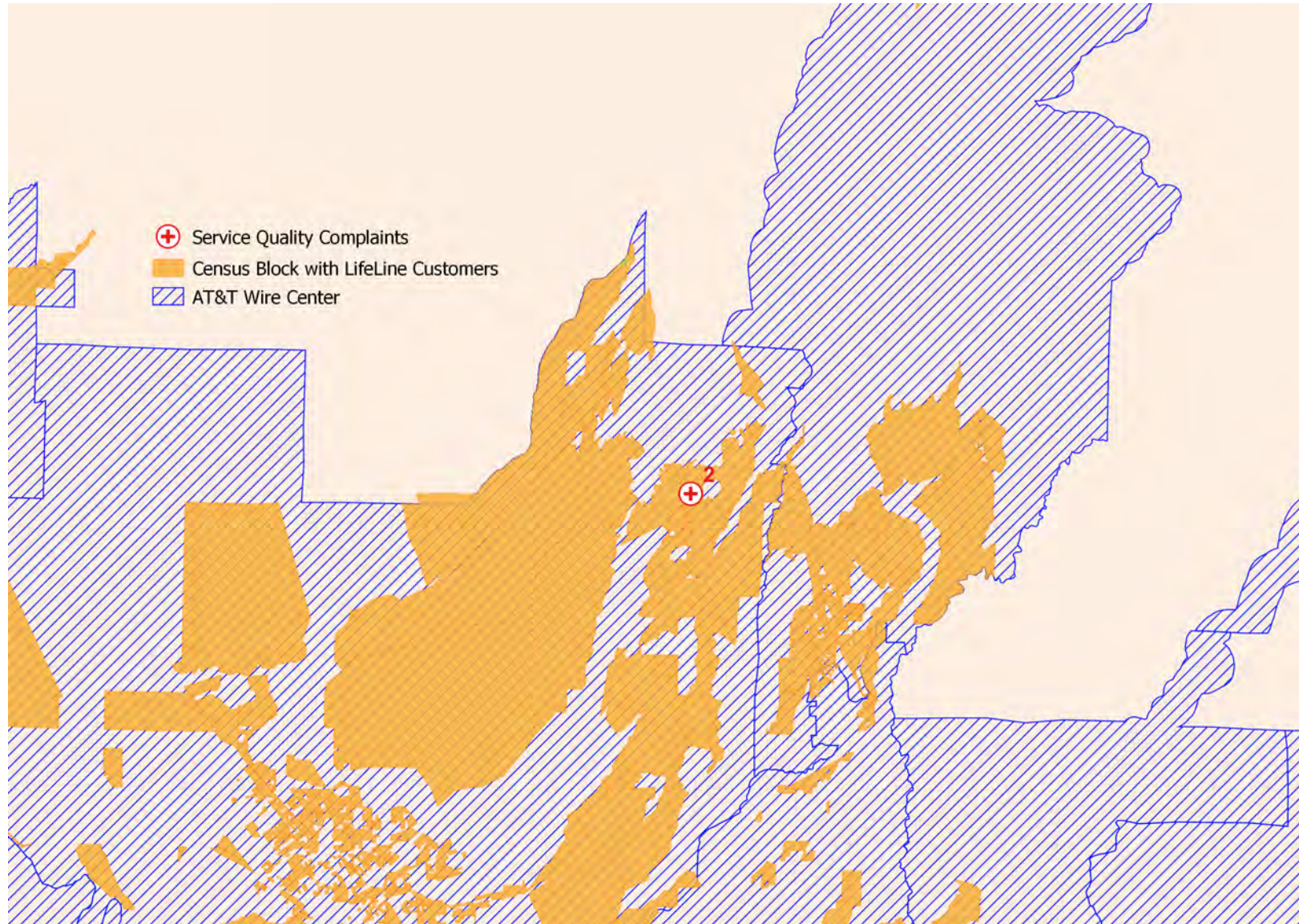
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6); SQ Complaints: CPUC Rulemaking 22-03-016, Tr. December 8, 2022, Volume 2; Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip)

# EXHIBIT SMB-11



# Overlap in Forest Ranch Between Lack of Reliable Wireless Service and Lifeline Customers' Residences

Exhibit SMB-11  
Application 23-03-002



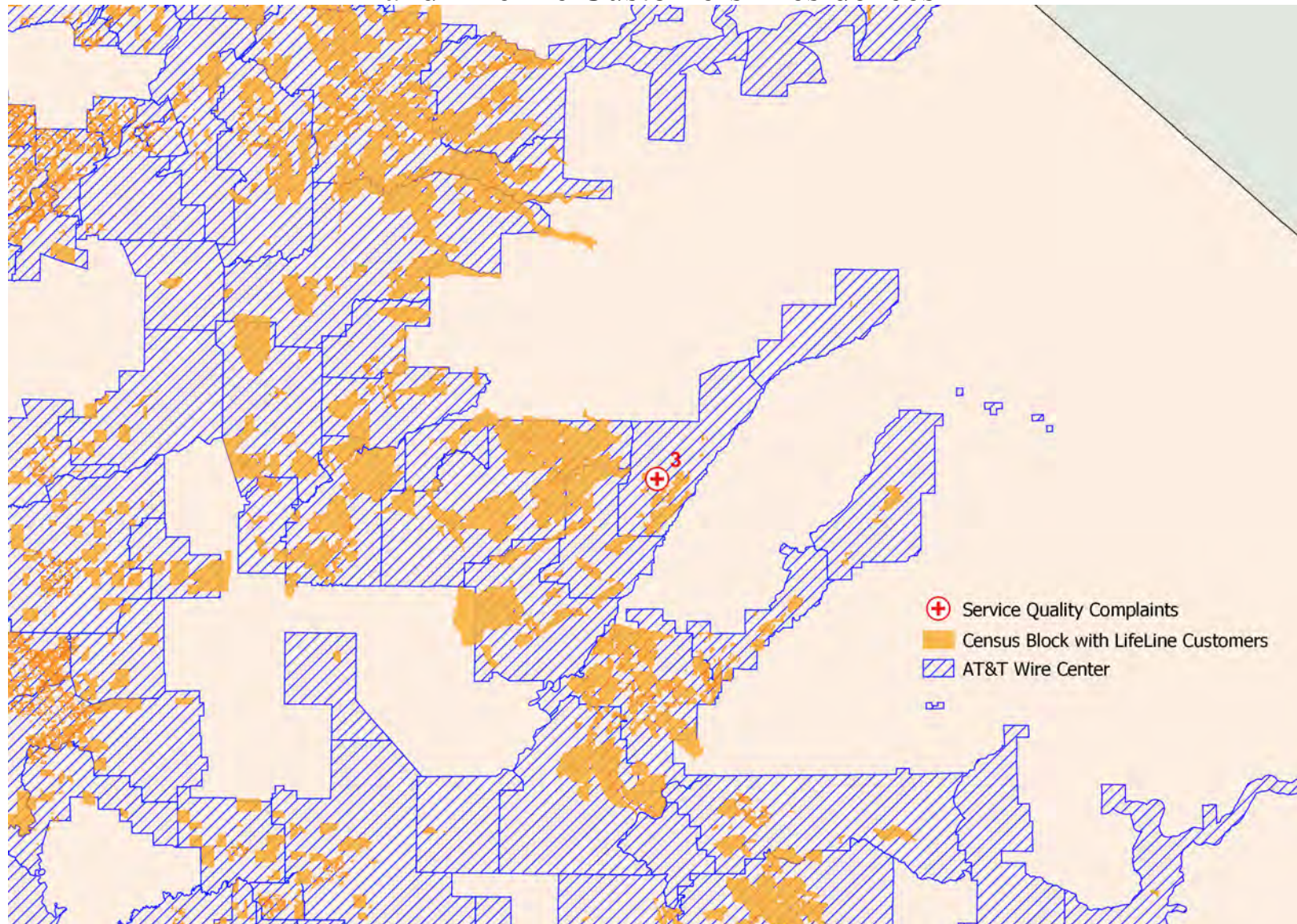
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6); SQ Complaints: CPUC Rulemaking 22-03-016, Tr. December 8, 2022, Volume 2; Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip)

# EXHIBIT SMB-12



## Overlap in Arnold Between Lack of Reliable Wireless Service and Lifeline Customers' Residences

Exhibit SMB-12  
Application 23-03-002

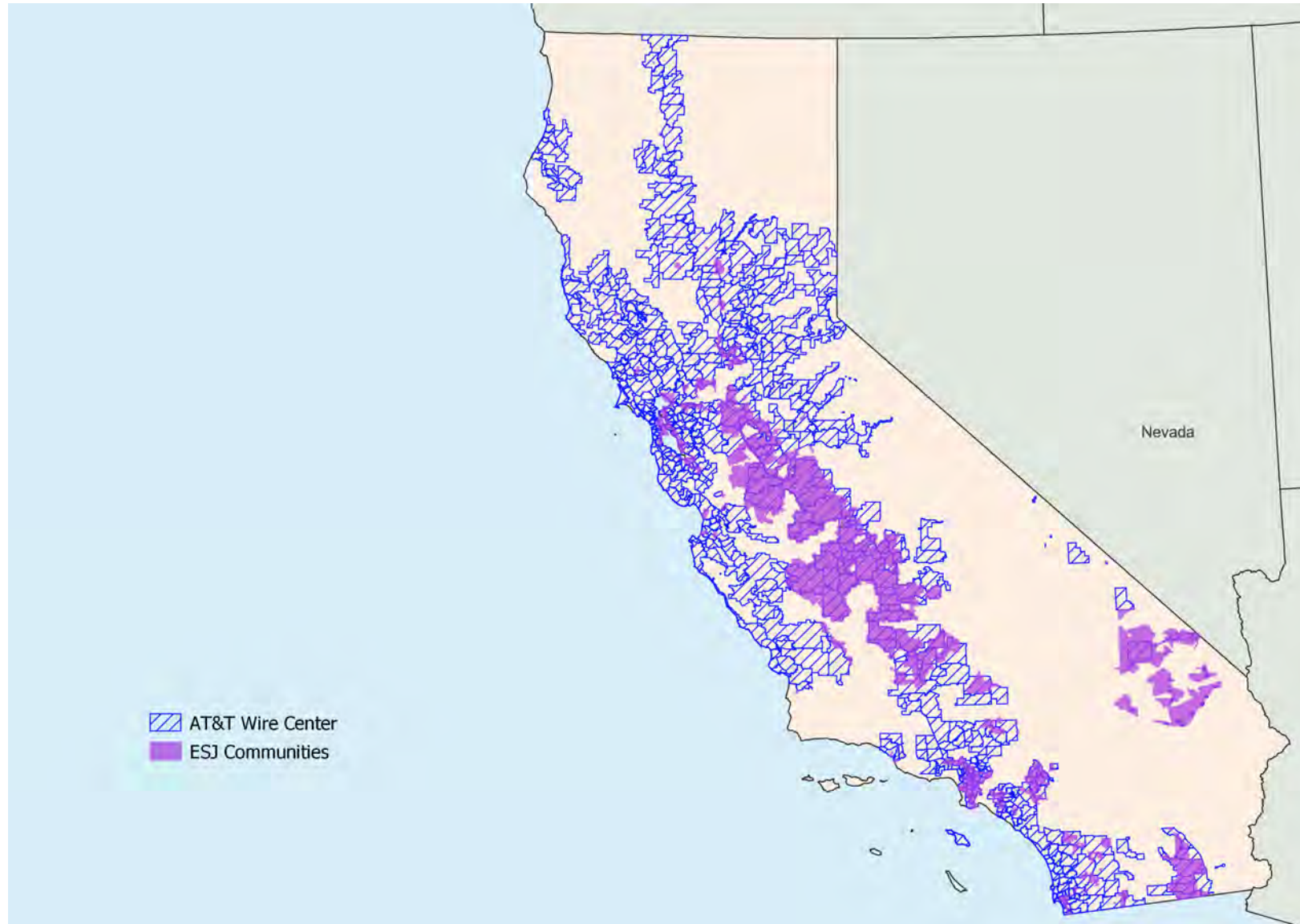


Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6); SQ Complaints: CPUC Rulemaking 22-03-016, Tr. December 8, 2022, Volume 2; Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip)

# EXHIBIT SMB-13

# AT&T Wire Centers and ESJ Communities

Exhibit SMB-13  
Application 23-03-002



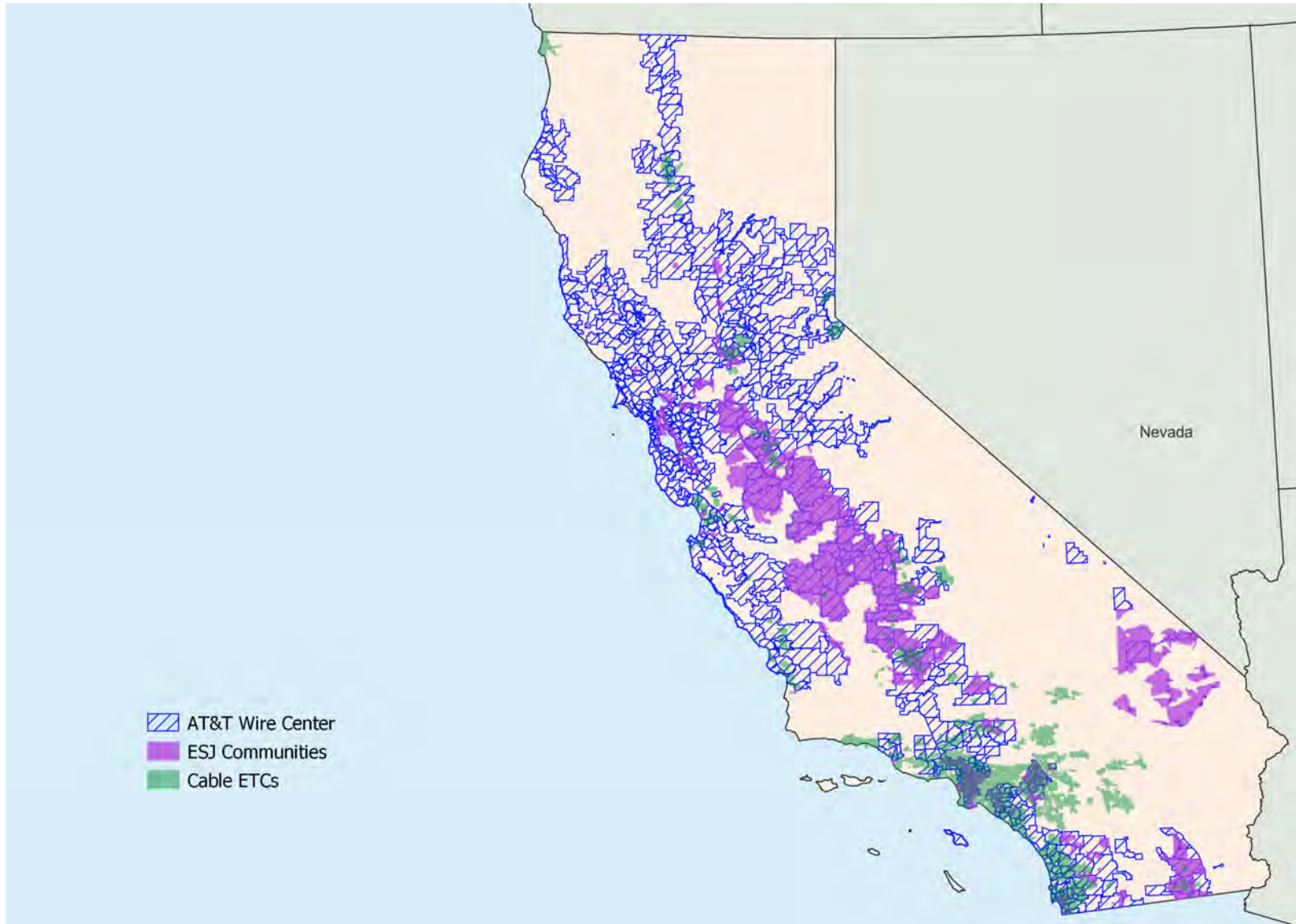
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); ESJ Communities: AT&T response to TURN 2-5, Attachment 5.1 (reproduced as Exhibit SMB-3); Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip)

# EXHIBIT SMB-14



# AT&T Wire Centers, ESJ Communities, and Cable ETC Deployment

Exhibit SMB-14  
Application 23-03-002



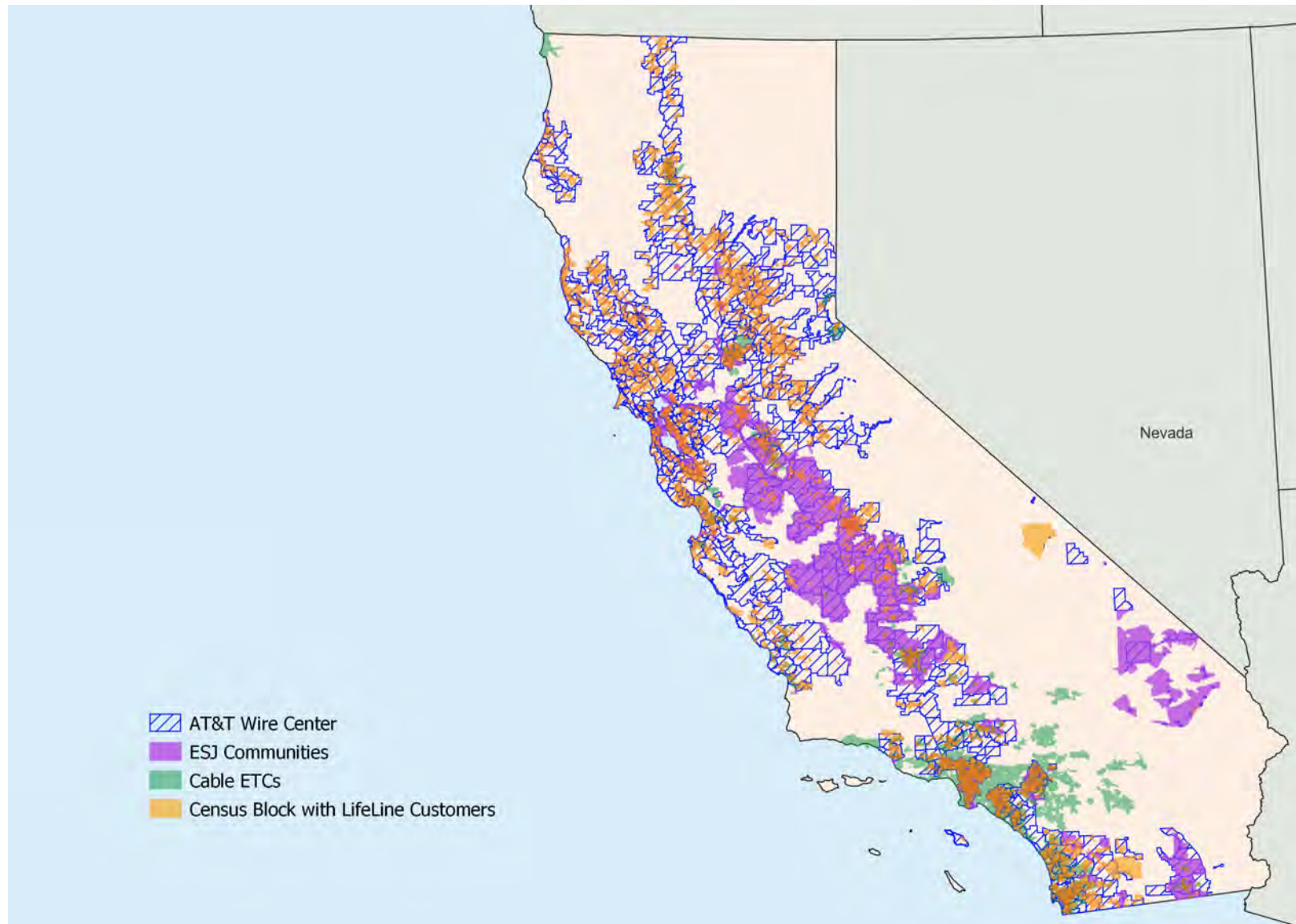
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); ESJ Communities: AT&T response to TURN 2-5, Attachment 5.1 (reproduced as Exhibit SMB-3); Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip); Cable ETCs: CPUC fixed broadband deployment data: [https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip).

# EXHIBIT SMB-15



# AT&T Wire Centers, ESJ Communities, Cable ETC Deployment, and Lifeline Customers

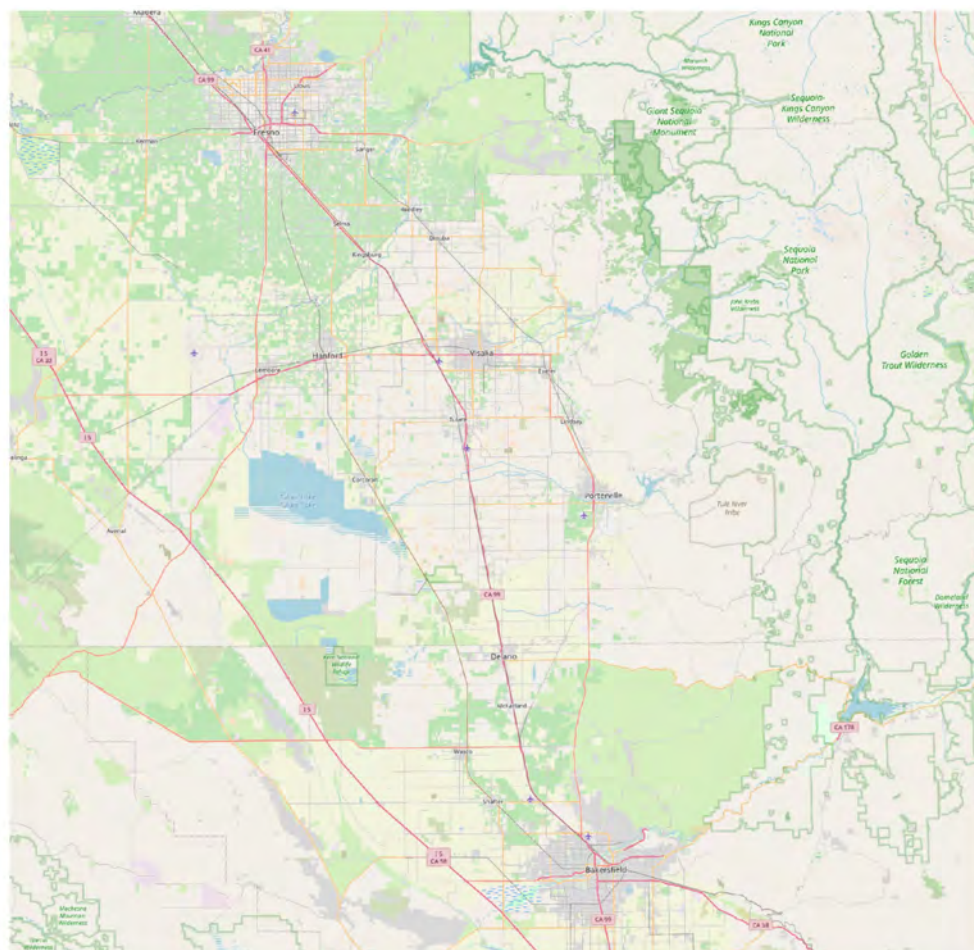
Exhibit SMB-15  
Application 23-03-002



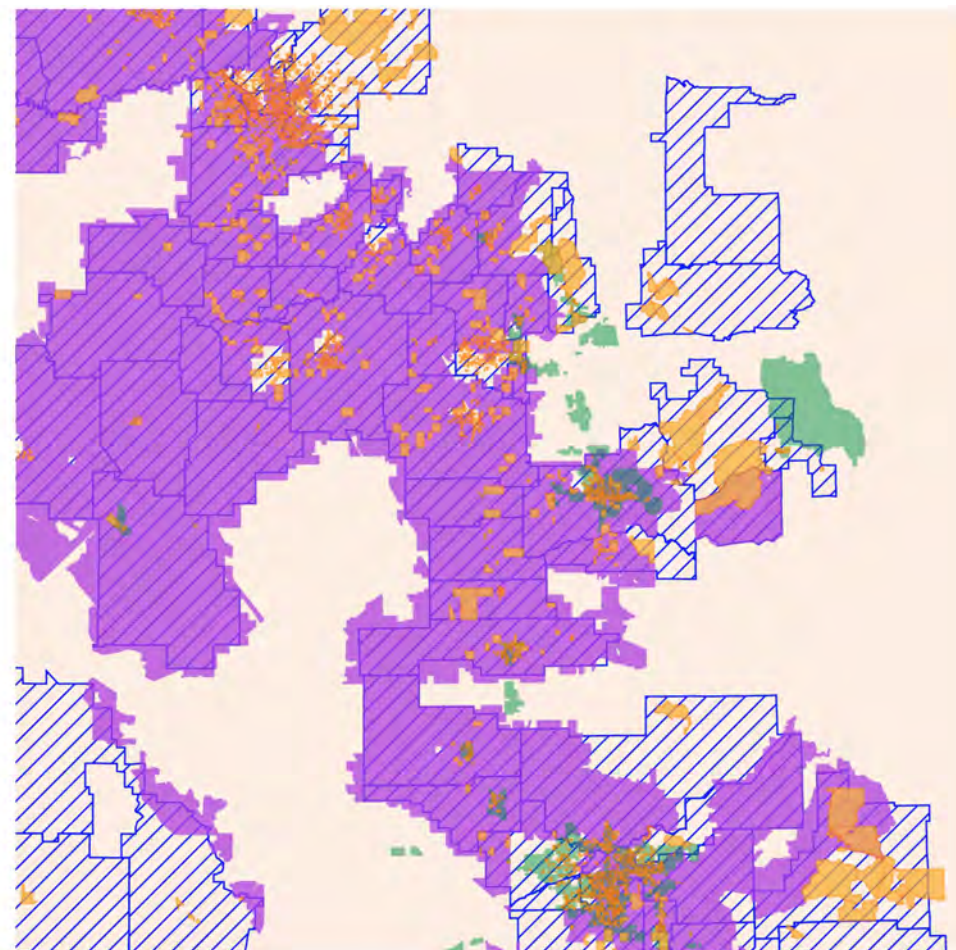
Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); ESJ Communities: AT&T response to TURN 2-5, Attachment 5.1 (reproduced as Exhibit SMB-3); Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip); Cable ETCs: CPUC fixed broadband deployment data: [https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6).

# EXHIBIT SMB-16

# AT&T Wire Centers, ESJ Communities, Cable ETC Deployment, and Lifeline Customers between Fresno and Bakersfield



OSM Standard



- Census Block with LifeLine Customers
- Cable ETCs
- ESJ Communities
- AT&T Wire Center

Sources: Wire Centers: AT&T Confidential response to TURN 1-4, ATTCA-CPUC-ETC00001330 (reproduced as Confidential Exhibit SMB-7); State Boundaries: [https://www2.census.gov/geo/tiger/GENZ2018/shp/cb\\_2018\\_us\\_state\\_500k.zip](https://www2.census.gov/geo/tiger/GENZ2018/shp/cb_2018_us_state_500k.zip); ESJ Communities: AT&T response to TURN 2-5, Attachment 5.1 (reproduced as Exhibit SMB-3); Census Blocks: [https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl\\_2022\\_06\\_tabblock20.zip](https://www2.census.gov/geo/tiger/TIGER2022/TABBLOCK20/tl_2022_06_tabblock20.zip); Cable ETCs: CPUC fixed broadband deployment data: [https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA\\_Broadband\\_Dec2021\\_Public.gdb.zip](https://files.cpuc.ca.gov/telco/BB%20Mapping/2022/CA_Broadband_Dec2021_Public.gdb.zip); Lifeline customers: AT&T response to TURN 1-2, ATTCA-CPUC-ETC00001329 (reproduced as Exhibit SMB-6).