



# TOWN OF FAIRFAX

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March 7, 2024

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

RE: OPPOSITION TO AT&T APPLICATIONS FOR RELIEF OF CARRIER OF LAST RESORT OBLIGATION AND ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION – PROCEEDING A.23-03-002 (COLR) and PROCEEDING A.23-03-003 (ETC RE: LIFELINE).

Dear CPUC President Busching Reynolds and CPUC Commissioners,

On behalf of the Town Council of the Town of Fairfax, I respectfully request that the California Public Utilities Commission (CPUC) reject AT&T's application for targeted relief from its Carrier of Last Resort (COLR) legal obligation, and also its application to relinquish its Eligible Telecommunications Carrier (ETC) designation.

As the Carrier of Last Resort, AT&T must provide Plain Old Telephone Service (POTS) or landline phone service upon request to all residential and business customers within its service territory. AT&T is requesting that the CPUC relieve it of this obligation and allow it instead to decide whether to provide telephone service, even if no other telephone provider in the area is obligated to provide service.

For some of our Town's residents (including the most vulnerable older adults and those with disabilities), especially those in locations with limited or no cell phone service, approval of AT&T's COLR application would result in them paying more for telephone service, receiving lower quality service, being required to purchase phone service as part of an expensive "bundle," or receiving no phone service at all.

If AT&T is allowed to stop being the COLR and transfer its landline service to broadband or VoIP, large numbers of Fairfax residents where cellular service is nonexistent or intermittent at best, will be deprived of a reliable means of communication. Fairfax cannot maintain a resilient, safe, connected, and prepared town without reliable landline service.

Further, if AT&T is allowed to relinquish its Eligible Telecommunications Carrier (ETC) designation, Fairfax's residents with low incomes could lose Lifeline Program access to telephone service (also including elders and the disabled). A reliable telephone service is essential for day-to-day life activities and is critical for medical emergencies, public safety, and natural disasters.

AT&T's application requests COLR relief in providing landline service for over 99% of its service territory where it determines an alternative voice provider exists (VoIP, wireless, etc.) and does not request a replacement COLR. Since the definition of "alternative voice provider exists" is based on demonstration that a carrier's footprint covers only 50% of the census block, residents in the remaining 50% are in danger of having no phone service. Additionally, AT&T's application describes the COLR requirement as an "underutilized landline telephone network," however, in households with limited cell phone coverage, landlines are far from underutilized. Landlines provide essential communications, especially in emergencies, to households without cell coverage and/or other connectivity options.

AT&T's application also requests expedited approval for future COLR relief through a CPUC Tier 1 Advice Letter process that does not require CPUC approval. If the CPUC approves, AT&T could cancel service for its POTS customers in as little as six months.

Over 580,000 AT&T customers would be affected – including many households in Fairfax – many of whom are senior citizens, live in low-income households, or reside in areas where other connectivity is not available to them, placing their lives in jeopardy in the event of an emergency. In the event of an emergency, often internet services are interrupted, which also disables VoIP services.

Fairfax opposes both AT&T applications, as they will reduce access to essential communications services for our communities while increasing costs for those still covered. For some of Fairfax's residents, who are underserved by cellular phone service, there is no substitute for landline telephone service. We strongly urge you to take into consideration the needs of those with no cellular service, those who could lose low-cost telephone services, and those living in areas, like Fairfax, of high risk for wildfire, seismic events, floods and other natural disasters, as you make your decision.

Thank you for your consideration. I strongly urge you to reject both AT&T applications regarding the COLR obligation and the ETC designation.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Coler". The signature is fluid and cursive, written in a professional style.

Barbara Coler, Mayor  
Town of Fairfax

cc: CPUC Ombudsman  
Fairfax Town Council  
Senator Mike McGuire  
Assemblymember Damon Connolly