



# COUNTY OF YOLO

## Board of Supervisors

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March 12, 2024

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

**Re: Opposition to AT&T COLR Applications—County of Yolo  
Proceedings A.23-03-002 and A.23-03-003**

Dear Chair Reynolds and CPUC Commissioners,

This letter follows up on our letter dated February 21, 2024, in opposition to AT&T's application for relief of its carrier of last resort (COLR) obligations. We have since had an opportunity to more fully review the materials filed by AT&T. We believe, more strongly than ever, that it is vitally important that the COLR requirement be kept for the many residents of Yolo County who do not have access to adequate substitutes for plain old telephone service (POTS).

According to AT&T's calculations, its proposal would affect the vast majority of Yolo County's population, including 3,231 POTS residential accounts and 3,673 POTS business accounts.<sup>1</sup> AT&T's application is based on a faulty premise: that "voice alternatives" are viable and equal substitutes for POTS.<sup>2</sup> This is not the case. A landline is more than just "a historical curiosity" that "serves no continued purpose."<sup>3</sup> For many, it is a life-saving means of communication that cannot be replaced with limited broadband services or spotty cell reception.

The families and businesses in Yolo County that rely on landlines have limited options that are viable for communicating with the outside world. The Yolo County Office of Emergency Services reports that several areas within the County lack cell and broadband service and that the reverse-911 system relies on landlines in those areas to reach citizens during an emergency. Similarly, the Yolo County Sheriff's Office -- which patrols the rural areas of the County every day -- reports that its deputies go through large stretches of the County where their cell phones lose voice and data service. Our IT Department also has reported that its measurements of cell service in the County show that the reception vastly underperforms the levels advertised by carriers.

The need for continued landline service is further evidenced by the fact that thousands of customers in Yolo County still have AT&T's landline service, even after AT&T more than doubled its prices shortly

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<sup>1</sup> See Israel Decl. Ex. D4.

<sup>2</sup> See Amended Application Section VII.A.9; see also *id.* p. 24 ("advent of rival cable and mobile providers ... made legacy voice service obsolete.").

<sup>3</sup> Amended Application p. 25.

after the CPUC-approved deregulation in 2006.<sup>4</sup> AT&T's flat-rate landline phone service increased from \$10.69 per month in 2006 to \$48.00 today (without long-distance or other features like Caller ID, which cost extra).<sup>5</sup> That's seven times more than the rate of inflation over the same time period.<sup>6</sup> One would assume that if AT&T's landline customers had a viable alternative when facing such immense price increases, they would have cut the cord long ago or the competition of suitable alternatives would have kept prices low. The fact that neither happened shows there is a sizable segment of our County that needs continued landline service.

AT&T also claims that "fixed VoIP is technologically superior to basic telephone service." Application p. 26. This statement does not reflect the opinion of the thousands of Yolo County residents who rely on copper landlines. Broadband coverage in the unincorporated areas is far below standards to provide reliable VoIP service, and it is common for power and service outages to occur. The same is true for mobile coverage. Our experience shows that the carriers' coverage maps are not indicative of cell phone service levels in the unincorporated area. Further, when there are wide-spread cell phone outages -- as AT&T recently experienced on February 22, 2024 -- first responders encourage the public to use landlines to call 911 because the service is more reliable.<sup>7</sup>

AT&T's economist analogizes AT&T's COLR obligations to a mandate that an automobile manufacturer make buggy whips after the automobile industry was well-established. *See* Israel Decl. ¶¶ 19-20. This analogy fails because the buggy whip was not needed to communicate with the outside world during a crisis or every-day power outage. Landline service is a life-saving necessity for many; the buggy whip is not. While AT&T might hope for landlines to be retired as part of a creative destruction,<sup>8</sup> the technology remains vital to many in our community. AT&T claims that relieving it of its COLR obligations would allow for a "reallocation of AT&T's resources to broadband deployment around the state."<sup>9</sup> AT&T does not explain how these additional efforts, which it presumably is not undertaking because they are not economically viable, would suddenly become economically viable. Nor is there any commitment that the costs associated with AT&T's landline service will be reallocated to improving broadband and mobile service of those affected by AT&T's eventual cuts in landline service.

AT&T's economist claims that "[a]lmost 100 percent of existing and potential customers residing within AT&T's POTS service territory have one or more alternative facilities-based options for voice service."<sup>10</sup> AT&T's methodology is severely lacking. If a customer lives in a census block that where a mobile service might be available to half of the census block area, then AT&T counts the customer as

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<sup>4</sup> James Temple, *AT&T rates skyrocket since deregulation*, SAN FRANCISCO CHRONICLE (Jan. 18, 2013), available at <https://www.sfgate.com/technology/dotcommentary/article/at-amp-t-rates-skyrocket-since-deregulation-4204388.php>.

<sup>5</sup> <https://www.att.com/home-phone/landline/>

<sup>6</sup> <https://www.usinflationcalculator.com/inflation/consumer-price-index-and-annual-percent-changes-from-1913-to-2008/>

<sup>7</sup> <https://twitter.com/SFFDPIO/status/1760618741422072177> ("If you are an AT&T customer and cannot get through to 911, then please try calling from a landline.").

<sup>8</sup> Israel Decl. ¶ 20.

<sup>9</sup> Amended Application p. 11; *see also id.* p. 13 ("The COLR relief sought here would free up critical resources for similar efforts [to provide broadband] around the state"); *id.* ("COLR relief also would allow AT&T California to expand its collaborations with tribal governments to ensure high-speed connectivity on tribal lands"); *id.* 11 ("With freed-up resources, AT&T California could deploy fiber broadband to additional households in rural areas across the state...."); *id.* at 12 ("The COLR relief sought here would facilitate similar fiber upgrades as AT&T works with rural communities to restore connectivity in the wake of future natural disasters.").

<sup>10</sup> *See* Israel Decl. ¶ 33.

having a viable alternative, whether or not the mobile service is available to the customers living there.<sup>11</sup> This methodology is especially troublesome for the rural area of Yolo County, where census blocks are much larger, making it more likely that large unserved areas are counted as having mobile service. AT&T's approach also elevates cell phone coverage maps to gospel, when it is well known that coverage can be spotty in many neighborhoods even though their areas are shaded on a coverage map. Based on this faulty methodology, AT&T's economist concludes that all Yolo County POTS customers have three or more alternative services available to them.<sup>12</sup> Anyone who has dealt with the spotty cell service or non-existent broadband services in Yolo County's unincorporated areas knows this not to be the case.

AT&T's economist espouses that "nearly two thirds of California adults (64.2 percent) were already living in 'wireless-only' households...." Israel Reply Decl. ¶ 14. However, he does not consider why 35.8% of California adults live in a household with a landline. Why would they pay hundreds of dollars per year for a service that AT&T claims is unnecessary, given purportedly "superior" alternatives? Our constituents who rely on landlines tell us that mobile phone service and internet-based voice options are simply not reliable enough where they live. For example, a majority of senior citizens (age 65 and up) have a landline in their home,<sup>13</sup> many still relying on plain old telephone service because they do not have a reliable alternative.

Where AT&T sees the market forces speaking against landlines, we see the market saying the opposite: there is still a demand for landlines in our communities and discontinuing AT&T's COLR obligation will be disruptive to a significant number of our constituents.

We also direct the Commission to the misleading statements AT&T has made to the County about the nature of these proceedings. In a statement recently emailed to the Yolo County Board of Supervisors,<sup>14</sup> Marc Blakeman (President of AT&T California & Pacific States Region) states that AT&T "will continue to provide service to areas where we are the only providers, including in our rural communities." As shown above, AT&T's guesswork based on faulty cell phone coverage maps and various assumptions does not demonstrate that the affected areas have alternate providers. If the CPUC were to approve AT&T's application, nothing will compel AT&T to determine an area actually has other providers before it cuts landline services or ensure that a household will not be left cut off from outside communication before AT&T cuts their landline. AT&T's statement that its application "only applies to customers who currently have alternatives to copper-based traditional landlines" is particularly galling. It is simply not true that each customer in the affected territories currently has alternatives to copper-based landlines, or that anything will require AT&T to "continue to provide [affected customers] with a copper-based traditional landline" if they do not have viable alternatives. The burden should be on AT&T to demonstrate that a specific household has viable alternatives, but AT&T has failed to provide any assurance that it can reliably meet that burden with its faulty analysis and guesswork.

Mr. Blakeman further states the purpose of the CPUC application is to "help those customers [using copper-based technology] upgrade to more modern services like fiber or wireless-based voice options."

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<sup>11</sup> See Israel Decl. ¶ 31.

<sup>12</sup> See Israel Decl. Figure 2.

<sup>13</sup> National Center for health Statistics, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July-December 2022*, available at <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202305.pdf>.

<sup>14</sup> A copy of the statement is available at <https://coreconnected.att.com/communication/?rid=43d33e18-4a5b-4e12-b354-537b57bef0bf>.

This is akin to saying that shoving someone over a cliff is to help them upgrade to more modern transportation options. Nothing in the CPUC application would require AT&T to provide fiber or cell service before cutting a customer's landline. Indeed, nowhere in AT&T's public statement does AT&T actually state what the CPUC proceeding is about, other than vaguely asserting that the application "asks for changes to outdated regulatory requirements." The statement wholly omits any explanation of what those changes would entail and how they would affect the Board's constituents. We acknowledge there is some PR spin that is common when trying to influence CPUC proceedings, but we hope that AT&T is more forthcoming in its communication with elected officials.

AT&T may view POTS as a "historic curiosity," but residents in Yolo County view it as a critical lifeline. We strongly encourage the CPUC to deny AT&T's application and maintain the COLR service in Yolo County.

Sincerely,

Lucas Frerichs  
Chair, Yolo County Board of Supervisors