

***Landlines are experiencing major new threats this spring ☹️ OUCH OUCH OUCH***

In March the FCC issued a Report & Order aimed at pre-empting state/local controls. More recently AT&T filed suit against the CPUC and CA attorney general in order to destroy the CPUC's admirable hold-firm-stance against AT&T in regard to Carrier of Last Resort issue.

**Now, a particularly insidious assault comes in the form of a *proposed California Constitutional Amendment!*** (Yes, AT&T made a host of campaign contributions!) Amendment 9 (ACA-9) is crafted to dismantle critical CPUC authority and strength by removing telephones/telecom from CPUC jurisdiction. ACA-9 has **passed the Assembly and will soon be heard in two Senate committees.**

**☐ *WE MUST STOP THIS TERRIBLE MEASURE RIGHT AWAY —IN COMMITTEE!***

**🔗 PLEASE TAKE ACTION TODAY, TOMORROW OR EARLY MONDAY, and share this alert with others.**

**☎ No matter what type of phone one prefers, this action is about preserving constitutional protections in California!. AT&T hopes to completely skirt our constitution and regulation.**

**Send emails to these members of the Senate Energy, Utilities and Communication Committee:**

[senator.allen@senate.ca.gov](mailto:senator.allen@senate.ca.gov) (chair)

[senator.ochoabogh@senate.ca.gov](mailto:senator.ochoabogh@senate.ca.gov) (chair)

[senator.dahle@senate.ca.gov](mailto:senator.dahle@senate.ca.gov)

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[senator.wahab@senate.ca.gov](mailto:senator.wahab@senate.ca.gov)

**Please also email these members of the Senate Elections and Constitutional Amendments Committee:**

[senator.wiener@senate.ca.gov](mailto:senator.wiener@senate.ca.gov) (chair)  
[senator.choi@senate.ca.gov](mailto:senator.choi@senate.ca.gov) (chair)  
[senator.allen@senate.ca.gov](mailto:senator.allen@senate.ca.gov)  
[senator.cervantes@senate.ca.gov](mailto:senator.cervantes@senate.ca.gov)  
[senator.umberg@senate.ca.gov](mailto:senator.umberg@senate.ca.gov)

**Message: "OPPOSE ACA-9. Telecommunications must remain a public utility and the CPUC must remain the regulatory body in order to protect all Californians.**

### **Background**

**TELECOMMUNICATION HAS BEEN DESIGNATED A PUBLIC UTILITY FOR 11 DECADES. BECAUSE IT IS A PUBLIC UTILITY, IT IS SUBJECT TO REGULATIONS THAT PROTECT CONSUMERS FROM UNCHECKED MONOPOLIES AND OBLIGATES CORPORATIONS TO PROVIDE NONDISCRIMINATORY ACCESS, AFFORDABILITY, NETWORK RELIABILITY, SAFETY, INTEROPERABILITY, AND FAIR HANDLING OF CONSUMER RIGHTS.**

The CPUC has served as that critical and fair regulatory body protecting CA consumers since 1911. It initially was created to regulate the railroad industry but in 1912 its authority was expanded by the Public Utilities Act to include gas, electric, telephone, and water companies. **The CPUC is the only entity that has been able to protect the public from the unscrupulous behavior of the telecommunications industry. The CPUC demonstrated/proved its vital protective role** by voting to dismiss AT&T's application to be removed from its COLR (Carrier of Last Resort) obligations to provide and maintain basic, functional, **reliable and safe** communication services. Copper landlines or Plain Old Telephone Service (POTS) has been that basic service for decades and has proven to be the **ONLY FULLY RELIABLE AND SAFE FORM OF TELEPHONE TECHNOLOGY.**

AT&T has been trying to eliminate copper landlines for years. Copper-wired lines are the only true safety net for small businesses, emergency services—including access to 911, and critical access for the disabled and elderly in both rural **and** urban areas. General power outages can occur anytime, not just as a consequence of natural disasters (CA fires, floods, earthquakes, etc.). Copper landlines remain the most RELIABLE AND SAFE form of communication and the CPUC has *thus* far protected the consumer and granted all Californians fair and equal access to legacy landlines.

🔊 **Here is a highly informative critical analysis: "ACA-9 is a Bad Idea," by Peter Allen**

Peter Allen is a widely-recognized expert in California utility regulatory law who spent over two decades at the California Public Utilities Commission as an attorney and administrative law judge.

[https://www.linkedin.com/pulse/aca-9-bad-idea-peter-allen-6v6oc/?trackingId=m%2FRx344oAsnqDeAtkA9cmQ%3D%3D&trk=public\\_post\\_comment-text](https://www.linkedin.com/pulse/aca-9-bad-idea-peter-allen-6v6oc/?trackingId=m%2FRx344oAsnqDeAtkA9cmQ%3D%3D&trk=public_post_comment-text)

An additional/alternative action option: Many of you have used the CA legislative portal to submit position papers in advance of committee hearings. Submitting a statement through the portal is a particularly impactful action that ensures your views are recorded and your opposition is listed in bill analyses.

▶ To use the portal for ACA-9, do the following:

First, compose your position statement and make it available in your Documents or Desktop. Then . . .

- 1) Go to: <https://calegislation.lc.ca.gov/Advocates/>
- 2) Click on "Submit Position Letter"
- 3) Sign in or "Create an Account"
- 4) Once you've signed in, you can see all your history of submissions. If it's the first time, no matter... you can just go to "Submit a letter" under "Activity" in menu above.
- 5) Under "Select a bill" scroll down to ACA to the right of "Measure"
- 6) Next to Measure, click numbers until you get to 9. (Session type is "Regular"). **Click Search.**

7) Then you can see Bill: ACA 9, and under Subject: Public Utilities Commission, and Author: Boerner. Bill Version Date will appear. **Click Next.**

8) Submit Letter as Organization or Yourself

9) Under Senate Committees, check Senate Energy, Utilities and Communications as well as Elections and Constitutional Amendments. **Click Next... Select File**

10) Position Letter Portal: "Upload The File for Submission"  
Under "stance" select "Oppose" and under subject, type Oppose: ACA 9: Public Utilities Commission

Under "Letter" retrieve your position statement  
Finally, click "Review" and "Submit"

More info here: <https://www.senate.ca.gov/committees>