Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Section 63.71 Applications of	)	
	)	WC Docket No. 26-120
AT&T Services, Inc., on behalf of its affiliate; Pacific Bell Telephone Company d/b/a AT&T California	)	Comp. Pol. File No. 2137
	)	
	)	WC Docket No. 26-121
	)	Comp. Pol. File No. 2138
Authority Pursuant to Section 214 of the Communication Act of 1934, as amended, to Discontinue the Provision of Service	)	
	)	
	)	

APPLICATION FOR REVIEW OF THE RURAL COUNTY REPRESENTATIVES OF CALIFORNIA, THE UTILITY REFORM NETWORK, AND COMMUNICATIONS WORKERS OF AMERICA

GAIL A. KARISH
CHERYL A. LEANZA
GREGORY CAFFAS
JENNA OH
BEST BEST & KRIEGER LLP
1800 K Street N.W., Suite 725
Washington, D.C. 20006
gail.karish@bbklaw.com
cheryl.leanza@bbklaw.com
gregory.caffas@bbklaw.com
jenna.oh@bbklaw.com

Counsel for
Rural County Representative of California (RCRC), The Utility Reform Network (TURN) and Communications Workers of America (CWA)

July 29, 2026

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Rural County Representatives of California, The Utility Reform Network, and Communications Workers of America seek Commission review and reversal of the automatic grant of AT&T's Section 214 Applications to discontinue legacy copper-based voice service in California under the FCC's streamlined discontinuance rules. Despite extensive objections, the Applications became automatically effective without the Commission addressing substantial public-interest concerns regarding adequate replacement services, emergency communications, and impacts on rural communities.

The automatic grant conflicts with the Commission's policies governing streamlined discontinuance proceedings, is inconsistent with Section 214's requirement that the Commission determine whether the proposed discontinuance serves the present or future public convenience and necessity, and improperly relies on the Commission's *Network Modernization Order* while that order remains subject to pending judicial review. For these reasons, the Commission should rescind the automatic grant and issue an order finding that the record does not support a determination that the proposed discontinuance serves the present or future public convenience and necessity.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Section 63.71 Applications of AT&T Services, Inc., on behalf of its affiliate; Pacific Bell Telephone Company d/b/a AT&T California Authority Pursuant to Section 214 of the Communication Act of 1934, as amended, to Discontinue the Provision of Service	)))))))))))	WC Docket No. 26-120 Comp. Pol. File No. 2137 WC Docket No. 26-121 Comp. Pol. File No. 2138

APPLICATION FOR REVIEW OF THE RURAL COUNTY REPRESENTATIVES OF CALIFORNIA, THE UTILITY REFORM NETWORK AND COMMUNICATIONS WORKERS OF AMERICA

Rural County Representatives of California (RCRC), The Utility Reform Network (TURN), and Communications Workers of America (CWA) (collectively, the Parties)[1]

---

[1] See Appendix A for a brief description of the Parties.

CWA did not previously participate in this proceeding. CWA joins this application for review because CWA is aggrieved by the automatic deemed grant of AT&T's Applications and has good reason why it was not possible to participate in the earlier stages of the proceedings, as explained below.

CWA is aggrieved as it is a labor union representing workers in telecommunications and technology that counts among its members AT&T employees who service and maintain AT&T's copper wireline networks. CWA members include approximately 12,000 workers who build, upgrade, and service wireline and wireless telecommunications networks for providers in California. CWA's records show that CWA-represented wireline employment at AT&T has decreased from approximately 16,000 workers in October 2017 to approximately 7,000 in April 2026. The continued employment and livelihoods of CWA members depend on continuing to require a robust copper network until a gradual transition is made to a technology that provides equivalent service. The automatic grant of AT&T's Applications allows AT&T to cease providing wireline service in certain regions of California in which CWA workers currently work to maintain AT&T's network which would eliminate work for CWA members. Also, most CWA members live in the communities where they work and are directly affected by the loss of access to a reliable voice service if AT&T is allowed to discontinue service.

CWA also has good reasons why it was not possible to participate in the earlier stages of these particular proceedings. CWA has been a consistent participant in administrative respectfully submit this Application for Review pursuant to 47 C.F.R. § 1.115,[2] seeking Commission review and reversal of the automatic grant of the two above-captioned applications[3] filed by AT&T to discontinue copper-wire-based legacy voice service in portions of 360 wire centers in California, in accordance with 47 C.F.R. § 63.71(f) and the Public Notice[4] issued by the Wireline Competition Bureau. The *Applications* were deemed granted automatically on June 29, 2026, and as a result, absent further Commission action, AT&T is authorized to discontinue the legacy voice services identified in its Applications, including

---

proceedings before the FCC and California Public Utilities Commission that involve California's carrier-of-last-resort (COLR) rules and the efforts of AT&T to weaken, avoid, or eliminate those rules. CWA has submitted comments to the FCC in numerous dockets related to copper retirement and technology transition, including, filing in WC Docket Nos. 25-209 & 25-208 which resulted in the *Network Modernization Order* relied upon by AT&T in the *Applications* that were automatically granted here, and filing on July 7, 2026, in WC Docket No. 26-125, which is a related proceeding considering AT&T's separate petition for preemption and a declaratory ruling regarding California's COLR rules. However, here CWA was unable to devote resources to preparing a filing earlier in this proceeding due to the compressed schedule for response to the AT&T Applications, the press of other business, and CWA's reasonable expectation that the Bureau would remove these Applications from streamlined review given the magnitude of AT&T's requests.

[2] Pursuant to 47 C.F.R. §§ 1.115(d) and 1.4(b), any application for review of an automatic grant is required to be filed within 30 days of the public notice date. Parties submit this filing as an Application for Review pursuant to 47 C.F.R. § 1.115. However, to the extent the automatic grant by operation of rule is construed as action of the Commission rather than of the Wireline Competition Bureau, Parties alternatively request that the Commission treat this filing as a timely filed Petition for Reconsideration pursuant to 47 C.F.R. § 1.429.

[3] *Section 63.71 Application of AT&T Services, Inc., on behalf of its affiliate; Pacific Bell Telephone Company d/b/a AT&T California; Authority Pursuant to Section 214 of the Communication Act of 1934, as amended, to Discontinue the Provision of Service,* WC Docket No. 26-121, Comp. Pol. File No. 2138 (filed May 20, 2026) (seeking discontinuance of AT&T Residential Local Service) (*Residential Application*); *Section 63.71 Application of AT&T Services, Inc., on behalf of its affiliate; Pacific Bell Telephone Company d/b/a AT&T California; Authority Pursuant to Section 214 of the Communication Act of 1934, as amended, to Discontinue the Provision of Service,* WC Docket No. 26-120, Comp. Pol. File No. 2137 (filed May 20, 2026) (seeking discontinuance of AT&T Business Individual Access Line Service) (*Business Application*) (collectively, the *Applications*).

[4] *Comments Invited on AT&T's Section 214 Applications to Discontinue Domestic Legacy Voice Service as Part of a Technology Transition*, Public Notice (DA 26-539), WC Docket Nos. 26-120 and 26-121 (rel. May 29, 2026).

service to existing residential and business customers as well as the wholesale version of each service sold to carrier customers for resale, effective June 1, 2027. The Commission should reverse the Bureau's decision.

The Commission should reverse course because, although AT&T's claims that affected customers may transition to alternative services and *every* affected customer can receive AT&T Phone Advanced (AP-A) or AT&T Phone for Business – Advanced (APB-A),[5] those services do not satisfy the Commission's adequate replacement requirements and discontinuance does not serve the public convenience and necessity.[6] Moreover, neither the *Applications* nor the automatic grant requires AT&T to continue offering AP-A, APB-A, or any other particular replacement service as a condition of discontinuing legacy voice service. Indeed, the automatic grant could be interpreted as accepting AT&T's controversial assertion (contested in other fora and also the subject of a different AT&T petition to the FCC[7]) that the *Network Modernization Order*[8] preempts any state action that would prevent AT&T from discontinuing its existing intrastate service without any ongoing obligation to provide a substitute service.

The Parties seek Commission review and reversal because the automatic grant (i) conflicts with established Commission policy governing streamlined discontinuance proceedings (both under the existing framework and under the framework in the *Network*

---

[5] *Applications* at 3, 6-12.
[6] *Comments of The Utility Reform Network and Rural County Representatives of California,* WC Docket Nos. 26-120 and 26-121 (filed June 15, 2026) (*TURN/RCRC Comments*).
[7] *In re MCP No. 204; Federal Communications Commission, Reducing Barriers to Networks Improvements and Service Changes; Accelerating Network Modernization,* No. 26-3375, consolidated with Nos. 26-3515/26-3596/26-3599, (6th Cir. Apr. 28, 2026); *Petition of AT&T for Preemption and Declaratory Ruling Regarding California's Carrier of Last Resort and Related Requirements,* WC Docket No. 26-125 (filed May 20, 2026).
[8] *Reducing Barriers to Network Improvements and Service Changes; Accelerating Network Modernization,* WC Docket Nos. 25-209 and 25-208, Report and Order, FCC 26-19, (rel. Mar. 27, 2026) (*Network Modernization Order*).

Modernization Order); (ii) is inconsistent with the public convenience and necessity standard of Section 214 of the Communications Act, and (iii) improperly permits AT&T to rely on the *Network Modernization Order* to support broader regulatory relief while that order remains subject to pending judicial review. The Parties respectfully request that the Commission rescind the automatic grant and issue an order denying the *Applications* and finding that the record does not support a determination that the proposed discontinuance serves the public convenience and necessity. In the alternative, at a minimum, the Commission should rescind the automatic grant and issue a written order addressing the substantial factual and legal concerns raised by commenters, including by RCRC and TURN, expressed in the record.[9]

[9] *E.g., Notice of Ex Parte Presentation of The Utility Reform Network and Rural County Representatives of California,* WC Docket Nos. 26-120 and 26-121, (filed June 25, 2026) (*Ex Parte*).

QUESTIONS PRESENTED

The Parties seek Commission review of the automatic grant of the *Applications* to address three questions:

- Whether the Bureau erred by permitting AT&T's Section 214 Applications to become automatically effective notwithstanding substantial public-interest concerns that, whether evaluated under the existing standards or under the Commission's *Network Modernization Order*, warranted removal from streamlined processing and further Commission review.
- Whether the automatic grant is inconsistent with Section 214 of the Communications Act because the record does not demonstrate that the proposed discontinuance serves the present or future public convenience and necessity.
- Whether the automatic grant should be reconsidered because it relies upon application of the *Network Modernization Order*, which remains subject to pending judicial review.

BACKGROUND

On March 27, 2026, the Commission adopted the *Network Modernization Order*, which revised the Commission's procedures governing applications to discontinue legacy voice service under Section 214 of the Communications Act. The *Network Modernization Order* expanded the availability of streamlined processing for discontinuance applications, while preserving the Bureau's authority to remove applications from streamlined processing whenever the record raises concerns regarding public-interest considerations warranting closer review.[10]

On May 20, 2026, AT&T filed the *Applications* pursuant to Section 214(a), seeking authority to discontinue the legacy voice services identified in the *Applications* effective June 1, 2027, as part of its technology transition.[11] On May 29, 2026, the Wireline Competition Bureau released a Public Notice seeking comment on the *Applications*. The *Applications* generated substantial objections from RCRC and TURN, and the California Public Utilities Commission (CPUC), who argued that AT&T failed to satisfy the Commission's requirements for discontinuing legacy voice service and that the *Applications* raised substantial public-interest concerns.[12] RCRC and TURN later met with Commission staff and submitted and ex parte submission explaining that the record required removal of the *Applications* from streamlined processing because consumers and local governments lacked sufficient information regarding the proposed discontinuance and because substantial public interest harms are likely to flow from the discontinuance.[13]

---

[10] *Network Modernization Order*, ¶¶ 54-59, 85-87.
[11] *Applications* at 12.
[12] *TURN/RCRC Comments* at 9-14. See also *Comments of the People of the State of California and the California Public Utilities Commission*, WC Docket Nos. 26-120 and 26-121 (filed June 15, 2026) (*CPUC Comments*)
[13] *Ex Parte*.

In addition to the concerns expressed by RCRC and TURN, and the CPUC, approximately 350 individual consumers filed comments opposing the *Applications* and expressing concerns regarding the proposed discontinuance of legacy voice service.

Despite the significant public-interest concerns identified in the filings, the Bureau did not remove the *Applications* from streamlined processing or issue a written order addressing the concerns. Instead, the *Applications* were deemed granted automatically on June 29, 2026, authorizing AT&T to discontinue the legacy voice services identified in its Applications. This Application for Review seeks Commission review of that automatic grant pursuant to 47 C.F.R. § 1.115.[14]

ARGUMENT

I. The Automatic Grant Conflicts with Commission Policy Governing Streamlined Discontinuance Proceedings.

Pursuant to 47 C.F.R. § 1.115(b)(2)(i), Commission review is warranted because the automatic grant conflicts with established Commission policy governing streamlined discontinuance proceedings.

AT&T represented that it filed the *Applications* under the Commission's existing rules because the revised rules adopted in the *Network Modernization Order* "are currently subject to Office of Management and Budget (OMB) review and are not yet effective."[15] Although AT&T also asserted that the *Applications* satisfy both the existing rules and the *Network Modernization Order*'s revised requirements, it is unclear whether the Bureau evaluated the *Applications* under

---

[14] As noted in Footnote 2, to the extent the automatic grant by operation of rule is construed as action of the Commission rather than of the Wireline Competition Bureau, Parties alternatively request that the Commission treat this filing as a timely filed Petition for Reconsideration pursuant to 47 C.F.R. § 1.429.
[15] *Applications* at 16.

the Commission's preexisting technology-transition framework[16] or the revised procedures adopted in the *Network Modernization Order*. As explained below, the *Applications* do not satisfy either set of procedures and standards.

A. The *Applications* do not Satisfy the Commission's Streamlined Discontinuance Requirements Under the *Network Modernization Order*.

The *Network Modernization Order* adopted streamlined processing to expedite routine discontinuance applications while preserving the Bureau's responsibility to administer the streamlined process and remove them from streamlined processing when the record presents substantial public-interest concerns warranting additional review.[17] The Commission further identified specific categories of concerns that may warrant removal from streamlined processing, including concerns regarding replacement services, public safety, accessibility, rural customers, critical-access facilities, and whether consumers have sufficient information regarding proposed replacement services.[18]

RCRC and TURN raised those exact concerns throughout the record. They demonstrated that AT&T failed to establish that its proposed replacement services satisfy the Commission's adequate replacement requirements.[19] RCRC and TURN further raised substantial concerns regarding the availability and reliability of replacement services, public safety, accessibility, and the unique needs of rural California communities.[20] RCRC and TURN also explained that

[16] *Technology Transitions et al., Second Report and Order, Declaratory Ruling, and Order on Reconsideration*, 31 FCC Rcd 8283, ¶¶ 60-67 (2016) (*Technology Transitions Order*).
[17] *Network Modernization Order*, ¶¶ 54-59, 85-89.
[18] *Network Modernization Order* , ¶¶ 46-47, 50, 54-55, 85-89.
[19] *TURN/RCRC Comments* at 3-8 (explaining that AT&T failed to demonstrate that AP-A and APB-A satisfy the Adequate Replacement Test in California, that satellite service has not been recognized by the Commission as an adequate replacement and remains limited by cost, availability, and performance, and that AT&T's reliance on the National Broadband Map does not establish reliable mobile wireless coverage throughout the affected service territory).
[20] *TURN/RCRC Comments* at 7-8 (describing concerns regarding emergency communications during power outages and wildfires, the reliability of replacement technologies, compatibility

consumers, local governments, and public-safety officials lacked sufficient information to determine which communities would lose service, whether replacement services would actually be available, and whether all affected 911 authorities had received appropriate notice.[21]

The CPUC similarly argued that AT&T failed to demonstrate that the proposed discontinuance would not adversely affect the public convenience and necessity and expressly requesting that, at a minimum, the Bureau remove the *Applications* from streamlined processing pursuant to the *Network Modernization Order*.[22] The CPUC emphasized that it supports network modernization and fiber deployment and that California's technology-neutral COLR rules do not prevent carriers from retiring copper in favor of fiber, but that Section 214 requires AT&T to demonstrate that adequate replacement services exist before legacy voice service may be discontinued.[23] Finally, the CPUC explained that AT&T's Applications failed to satisfy the *Network Modernization Order*'s requirements because they did not identify available replacement services at the "smallest practicable geographic unit"[24] and instead relied on generalized broadband coverage information.[25]

Numerous individual commenters also expressed concern that discontinuing legacy voice service would jeopardize emergency communications during power outages, wildfires, earthquakes, and other disasters; that wireless and VoIP services are not functionally equivalent replacements because of unreliable coverage and dependence on commercial power; and that

---

with accessibility technologies used by individuals with disabilities, impacts on schools, hospitals, transportation infrastructure, alarm systems, and 911 services, and the particular vulnerabilities of rural California communities).

[21] *Ex Parte* at 2-6.

[22] *CPUC Comments* at 1.

[23] *CPUC Comments* at 2-5.

[24] *Network Modernization Order*, ¶ 25.

[25] *CPUC Comments* at 11-12.

many seniors, rural residents, and individuals relying on medical monitoring devices continue to depend upon legacy landline service.[26]

Rather than exercising the discretion the Commission directed the Bureau to exercise in the *Network Modernization Order* by removing the *Applications* from streamlining processing for further review, the Bureau permitted the Applications to become automatically effective instead of removing them. Therefore, Commission review is warranted because the Bureau failed to follow the Commission's new policy governing streamlined discontinuance proceedings.

B. The *Applications* Should Not Have Become Automatically Effective Under the Preexisting Discontinuance Framework

Under the Commission's preexisting technology-transition framework, applicants seeking streamlined treatment were required to satisfy the Adequate Replacement Test established in the Commission's 2016 Technology Transitions Order.[27] To qualify for streamlined treatment, an applicant was required to demonstrate that the proposed replacement service: (1) provides substantially similar network infrastructure and service quality; (2) preserves access to critical applications, including 911, communications security, and accessibility for individuals with disabilities; and (3) maintains interoperability with key applications and functionalities relied upon by consumers.[28] Applications that do not satisfy the Adequate Replacement Test remained subject to the Commission's traditional Section 214 public-interest review.[29] AT&T's Applications did not meet the 2016 test either.

---

[26] *See, e.g., Comment of Peter & Nanci Ellis,* WC Docket Nos. 26-120 and 26-121 (filed June 18, 2026); *Comment of Martin Webb,* WC Docket No. 26-121 (filed June 16, 2026); *Comment of Howard Malcolm,* WC Docket No. 26-121 (filed June 15, 2026); *Comment of Marilyn K. Goessel,* WC Docket Nos. 26-120, 26-121, 26-123, and 26-125 (filed June 24, 2026); *Comment of Mary Dolinskis,* WC Docket No. 26-120 (filed June 15, 2026); *Comment of Catherine Dodd, Ph.D., R.N.,* WC Docket Nos. 26-120, 26-121, 26-123, and 26-125 (filed June 15, 2026).
[27] *Technology Transitions Order,* ¶¶ 63-68.
[28] *Technology Transitions Order,* ¶ 65.
[29] *Technology Transitions Order,* ¶ 66.

For the reasons discussed above, RCRC and TURN demonstrated that AT&T failed to establish that AP-A, mobile wireless service, and satellite service constitute adequate replacements for legacy voice service under the Commission's Adequate Replacement Test. The comments submitted by individual consumers likewise demonstrate substantial concerns regarding the adequacy of the proposed replacement services, particularly with respect to emergency communications and reliability during disasters. AT&T relies on prior Commission determinations that AP-A constitutes an adequate replacement service, including prior discontinuance applications involving nine Oklahoma wire centers, legacy voice service in portions of wire centers across seventeen states, and Remote Call Forwarding/TeleBranch services in nineteen states.[30] As the CPUC explained, the prior proceedings on which AT&T relies involved materially different discontinuance applications, including proceedings affecting only nine Oklahoma wire centers serving approximately 52 customers, applications involving portions of wire centers across seventeen states, and a nineteen-state Remote Call Forwarding/TeleBranch discontinuance.[31] AT&T's reliance on those prior approvals does not establish that these Applications satisfy either the Adequate Replacement Test or Section 214's public-interest standard in other geographic locations.

---

[30] *See Applications* at 3, n. 8 (citing WC Docket Nos. 25-25 (filed Apr. 1, 2025), 25-228 (filed July 15, 2025), and 25-333 (filed Dec. 1, 2025)); *Comments Invited on AT&T's Section 214 Application to Grandfather and Discontinue Legacy Voice Service as Part of a Technology Transition*, Public Notice (DA 24-1158), WC Docket No. 24-220 (rel. Nov. 20, 2024); *Comments Invited on AT&T's Section 214 Application to Discontinue Domestic Legacy Voice Service as Part of a Technology Transition*, Public Notice (DA 25-667), WC Docket No. 25-228 (rel. July 25, 2025); *Comments Invited on Section 214 Applications to Discontinue Domestic Non-Dominant Carrier Telecommunications and/or Interconnected VoIP Services*, Public Notice (DA 25-1042), WC Docket Nos. 25-333, 25-334, and 25-336 (rel. Dec. 12, 2025).
[31] *CPUC Comments* at 6, n. 23 (distinguishing the prior applications from the present statewide California discontinuance).

The Bureau's treatment of these Applications is also inconsistent with its handling of AT&T's *2021 California Discontinuance Application*. In that proceeding, the Bureau removed the application from streamlined processing on August 25, 2021, after the CPUC opposed the automatic grant, and requested that the Commission delay action pending completion of the state's review.[32] The FCC later granted the application on December 14, 2021,[33] but only after the CPUC informed the Commission by letter dated November 5, 2021, that it no longer objected because the CPUC had authorized AT&T Corp. to migrate customers to Frontier, and had received FCC authorization on its Section 214 discontinuance application.[34] Here, by contrast, the Bureau permitted the Applications to become automatically effective despite the CPUC's continuing opposition and concern, and without issuing any written explanation for treating this request differently.

In summary, regardless of whether the Bureau evaluated the *Applications* under the Commission's preexisting technology-transition framework or the revised procedures adopted in the *Network Modernization Order*, the Bureau should not have permitted the Applications to

[32] *Application of AT&T Services, Inc., on Behalf of Its Affiliate, AT&T Corp. to Discontinue Domestic Non-Dominant Carrier Telecommunications Services is Not Automatically Granted*, Public Notice (DA 21-1048), WC Docket No. 21-296 (rel. Aug. 25, 2021).

[33] *Application of AT&T Services, Inc., on Behalf of Its Affiliate, AT&T Corp. to Discontinue Domestic Non-Dominant Carrier Telecommunications Services is Granted*, 36 FCC Rcd. 17153 (2021) (*2021 AT&T Discontinuance Decision*).

[34] *2021 AT&T Discontinuance Decision*; *see Application of AT&T Corp. (U5002C) to Discontinue Providing Residential Service in Frontier Territory and Relinquish Eligible Telecommunications Carrier Designation,* Decision 22-08-006, Application 21-05-007, 2022 WL 3910169 (Cal. P.U.C. 2022) at *12. As the CPUC's decision on AT&T's application explains, AT&T filed its discontinuance request to the CPUC on May 14, 2021, and after various procedural steps, the CPUC's Communications Division Director approved a third customer notice which AT&T issued on October 29, 2021, setting the customer migration to begin on December 16, 2021.

become automatically effective. Instead, the *Applications* should have been pulled from the streamlined process for further evaluation.

II. The Automatic Grant Is Contrary to Section 214 of the Communications Act

Commission review is warranted under 47 C.F.R. § 1.115(b)(2)(i) because the automatic grant conflicts with the Communications Act and the Commission's policies implementing Section 214. Section 214 permits discontinuance of telecommunications service only where the Commission determines that the present or future public convenience and necessity permit such discontinuance.[35]

The Commission's obligation under Section 214 requires more than reliance on generalized policy objectives. As the Supreme Court explained in review of a Commission decision to authorize provision of service pursuant to the public interest standard, while the Commission possesses broad discretion in applying the public-interest standard, it may not rely on "national policy without more" because doing so would permit the Commission to "abdicate" one of its primary statutory duties.[36] Rather, the Commission must exercise its discretion based on the circumstances of the particular application to determine whether the proposed action serves the present or future public convenience and necessity.[37] Similarly here, although network modernization is a national policy objective, it cannot alone satisfy the Commission's obligation under Section 214 to determine whether AT&T's proposed discontinuance serves the present or future public convenience and necessity in light of the extensive objections in the record.

RCRC and TURN demonstrated that AT&T failed to show that AP-A, mobile wireless service, or satellite service constitute adequate replacements for legacy voice service throughout

---

[35] 47 U.S.C. § 214(a).
[36] *FCC v. RCA Communications, Inc.*, 346 U.S. 86, 95-96 (1953); *see also Hawaiian Tel. Co. v. FCC*, 498 F.2d 771, 776 (D.C. Cir. 1974).
[37] *See RCA*, 346 U.S. at 95-96.

the affected service territory.[38] RCRC and TURN further explained that discontinuance threatens reliable communications in rural communities, particularly during wildfires, prolonged power outages, and other emergencies.[39] Additional concerns include compatibility with medical monitoring devices, fire alarms, accessibility technologies, reverse 911 systems, schools, hospitals, transportation infrastructure, and other critical public-safety systems. [40] These concerns implicate the Communications Act's universal-service objectives and the Commission's obligation to ensure continued access to reliable interstate telecommunications services.[41]

Because the proposed discontinuance threatens continued access to reliable interstate telecommunications services, particularly in rural communities, the automatic grant is inconsistent with the Communications Act's universal-service objectives and cannot satisfy Section 214's public convenience and necessity standard. The Bureau erred in allowing these defective Applications to be automatically deemed granted when the record supported outright denial.

III. Application of the *Network Modernization Order* Remains Subject to Pending Judicial Review.

Commission review is also warranted under 47 C.F.R. § 1.115(b)(2)(iii) because the automatic grant relies on the *Network Modernization Order*, significant portions of which remain the subject of pending federal litigation.[42] The automatic grant also has consequences beyond the

[38] *TURN/RCRC Comments* at 3-8.
[39] *TURN/RCRC Comments* at 11-14; *Ex Parte* at 2-5.
[40] *TURN/RCRC Comments* at 11-14; *Ex Parte* at 2-5.
[41] 47 U.S.C. § 254.
[42] *California Public Utilities Commission v. Federal Communications Commission*, No. 26-3596 (6th Cir.); *The Utility Reform Network, et al. v. Federal Communications Commission*, No. 26-3599 (6th Cir.) (6th Circuit Appeals).

discontinuance itself. As reflected in both the *Applications*,[43] AT&T relies on the Commission's grandfathering decision and the *Network Modernization Order* to support retirement of its legacy voice network while arguing that, once the Commission authorizes discontinuance, federal law preempts California's COLR and other state requirements governing the continued provision of legacy voice service.

As AT&T asserts in the *Applications*, Commission approval "will also serve as the predicate for preempting California's outdated regulatory regime" because, "[o]nce the Commission has authorized discontinuance, AT&T may proceed to do so without securing 'any other approval.'"[44] AT&T's COLR Preemption Petition,[45] still pending before the FCC, makes similar assertions, as does AT&T's litigation in the Southern District of California.[46]

Those aspects of the *Network Modernization Order* remain under review in the 6th Circuit Appeals.[47] Notwithstanding those pending legal challenges, the automatic grant authorizes AT&T to permanently discontinue legacy voice service affecting hundreds of wire centers and hundreds of thousands of California households. If the challenged provisions of the *Network Modernization Order* are modified or vacated on judicial review, consumers and local governments may suffer irreversible loss of legacy communications infrastructure before the courts resolve the legality of the *Network Modernization Order*. Accordingly, the Commission should review the *Applications* and issue a written order addressing the statutory and public-

---

[43] *Applications* at 2-5.
[44] *Applications* at 5.
[45] *Petition of AT&T for Preemption and Declaratory Ruling Regarding California's Carrier of Last Resort and Related Requirements*, WC Docket No. 26-125 at 1-2, 6-7 (filed May 20, 2026) (*COLR Preemption Petition*).
[46] *Pacific Bell Tel. Co. v. Reynolds*, No. 3:26-cv-03148-LL-JAC (S.D. Cal. filed May 20, 2026).
[47] *Supra* n. 41.

interest concerns raised in the record, rather than allowing the Applications to become automatically effective.

CONCLUSION

For the foregoing reasons, the Commission should grant the Parties' Application for Review, rescind the automatic grant of AT&T's Applications, and issue an order finding that the record does not support a determination that the proposed discontinuance serves the public convenience and necessity.

Respectfully submitted,

/s/ Gail A. Karish

GAIL A. KARISH
CHERYL A. LEANZA
GREGORY CAFFAS
JENNA OH
BEST BEST & KRIEGER LLP
1800 K Street N.W., Suite 725
Washington, D.C. 20006

Counsel for
Rural County Representative of California (RCRC),
The Utility Reform Network (TURN) and
Communications Workers of America (CWA)

July 29, 2026

APPENDIX A

Description of the Parties

- Rural County Representatives of California (RCRC) is a service organization that represents forty rural California counties. Its Board of Directors consists of elected county supervisors from each member county. RCRC advocates on behalf of its members before state and federal policymakers and provides a rural perspective on issues affecting California's rural communities. Its member counties comprise approximately sixty percent of California's landmass and include diverse geographies ranging from forested and mountainous regions to coastal communities, deserts, and agricultural areas. Together, these counties are home to nearly 5.8 million Californian residents, representing approximately fifteen percent of the State's population.
- The Utility Reform Network (TURN) is a California nonprofit organization that promotes racial and economic equity advancement and accessibility through regulatory and legislative work to achieve equitable, safe, reliable, resilient, and affordable communication services. TURN advocates for policies that support the widespread deployment of high-quality and affordable communications services. TURN represents over 13,000 ratepayers in California.
- The Communications Workers of American (CWA) is a labor union representing workers in telecommunications and technology, including tens of thousands who build, upgrade, and service wireline and wireless telecommunications networks. CWA also represents workers in news media, broadcast and cable television, the airline industry, public service, manufacturing, and other fields.