

**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 Communications 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**

**OPPOSITION OF AT&T SERVICES, INC.
TO PETITION FOR RECONSIDERATION**

BRETT FARLEY
CHRISTOPHER HEIMANN
DAVID CHORZEMPA
DAVID LAWSON
AT&T SERVICES, INC.
601 New Jersey Ave. N.W., Ste. 650
Washington, DC 20001-3051

C. FREDERICK BECKNER III
MAUREEN R. JEFFREYS
WILLIAM C. PERDUE
ARNOLD PORTER KAYE SCHOLER LLP
601 Massachusetts Ave. N.W.
Washington, DC 20001-3743

Counsel for AT&T Services, Inc.

August 7, 2026

AT&T hereby opposes the petition for reconsideration (“the Petition”) filed by Nina Beety.¹ The Petition fails to satisfy the demanding standards for reconsideration.

Reconsideration under Section 1.106 of the Commission’s Rules is a narrow remedy, not a second bite at the apple, and the Petition fails to meet that standard.² The Commission may dismiss or deny a petition for reconsideration of a delegated-authority decision that fails to identify any material error, omission, or reason warranting reconsideration, or that merely rehashes arguments already considered and rejected in the same proceeding.³ Reconsideration is warranted only where the petitioner points to changed circumstances or to facts and arguments it could not previously have known; mere disagreement with the agency’s prior findings is not enough.⁴ The Commission has dismissed petitions that invoke “new facts” but “do not provide any relevant new facts,” recognizing them as improper attempts to relitigate settled matters.⁵ The Petition here suffers these very defects: it identifies no facts that were unavailable when Ms. Beety filed her comments, and instead simply renews arguments the Commission and Bureau have already considered and rejected. Accordingly, the Petition should be denied.

I. The Petition Fails To Meet The Standard For Reconsideration

As the Petition implicitly acknowledges, reconsideration is intended to allow parties to raise new evidence that was not reasonably available prior to the issuance of the challenged

¹ AT&T Services, Inc., files this opposition on behalf of its affiliate Pacific Bell Telephone Company d/b/a AT&T California. “AT&T” refers to AT&T affiliated entities collectively or AT&T California specifically depending on context. For convenience, AT&T incorporates by reference the defined terms from its Discontinuance Applications and Reply Comments.

² See 47 C.F.R. § 1.106.

³ *One Ministries, Inc.*, Order on Reconsideration, 39 FCC Rcd. 3116, ¶ 10 (2024).

⁴ *Id.*

⁵ *Motorola, Inc.*, Order on Reconsideration, 27 FCC Rcd. 13520, ¶ 5 (2012).

decision.⁶ The Petition points to two such pieces of evidence: a July 22, 2026 letter from California Congressional representatives and an AT&T mobile device insurance policy from New York.⁷ Neither remotely provides a basis for reconsideration.

The Congressional letter is not “evidence.” And while it expresses opposition to AT&T’s network modernization efforts, it provides no factual support for its statement that AP-A is not an adequate replacement for POTS.

The mobile device insurance policy cited by the Petition is neither new nor relevant. It has been in effect since 2019.⁸ But more importantly, it has no relevance to this proceeding. It is an ordinary mobile device insurance policy that excludes certain claimed losses.⁹ Excluding such claims is not an admission that mobile devices cause any specific harms.

II. The Bureau Should Not Consider Untimely Collateral Attacks On The Commission’s Network Modernization Rules

The Petition largely restates and expands on arguments Ms. Beety and others made in opposition to AT&T’s Discontinuance Applications.¹⁰ Her principal claim is that POTS is the only telephone service she and other consumers can safely use.¹¹

This is not a valid basis for reconsideration. Instead, it is an untimely, collateral attack on the Commission’s *Technology Transitions Order* and *Network Modernization Order*. In those decisions, the Commission established the standards for determining whether a proposed POTS

⁶ Petition at 2.

⁷ *Id.*

⁸ Petition at 2; *id.* at Ex. B.

⁹ *Id.* at 4–5.

¹⁰ See Nina Beety Comments (June 15, 2026); EMR Syndrome Alliance Comments (June 15, 2026); World Healing Education Now Foundation Comments (June 15, 2026).

¹¹ Petition at 7–8, 12; *see also* Nina Beety Comments at 3–5.

replacement service was adequate and would support discontinuance.¹² A decade ago, the Commission adopted specific “benchmarks” for adequate replacement service and expressly recognized wireless services such as AP-A as one.¹³ And, as AT&T has demonstrated in these proceedings, the Commission has carefully vetted and approved AP-A as an adequate replacement on a bipartisan basis. AT&T designed AP-A to be resilient and comply with applicable Commission reliability standards, and is only seeking discontinuance in areas where every existing POTS customer can obtain AP-A.¹⁴

Indeed, Ms. Beety raised many of the same arguments in the *Network Modernization Order* proceeding.¹⁵ But the Commission there categorically ruled that facilities-based mobile wireless service operating at speeds of at least 5/1 Mbps was “an adequate replacement services for purposes of eligibility for streamlined processing.”¹⁶ Ms. Beety could have appealed that determination, but failed to do so. She should not be permitted to seek reconsideration here based on arguments that the Commission considered and found unpersuasive.

Finally, Ms. Beety complains about the Commission’s streamlined discontinuance procedures and claims the Bureau should have pulled AT&T’s Discontinuance Applications from streamlining and issued a formal decision responding to comments.¹⁷ But these claims are

¹² AT&T 214 Reply at 4–7.

¹³ See, e.g., *Technology Transitions Order* ¶¶ 64, 73, 105.

¹⁴ AT&T 214 Reply at 4–10.

¹⁵ See generally Nina Beety Comments, WC Dkt. No. 25-209 (Sept. 23, 2025); Nina Beety Reply Comments, WC Dkt. No. 25-209 (Oct. 27, 2025). Ms. Beety effectively concedes this, arguing that the Commission had “already ignored” in the *Network Modernization Order* docket the arguments she was advancing. Petition at 14. Indeed, Ms. Beety notes she has “written extensively to the Commission” regarding the concerns she raises in the Petition. *Id.* at 7.

¹⁶ *Network Modernization Order* ¶ 34.

¹⁷ Petition at 9–10, 12–14.

also not a basis for reconsideration. The Bureau has consistently followed the streamlined process since the Commission adopted it in 2016.¹⁸ AT&T provided notice of its planned discontinuance to Ms. Beety and other POTS subscribers, and the Bureau issued a Public Notice for AT&T's applications. As noted, Ms. Beety (and others) filed comments in opposition. AT&T's Reply Comments showed that there was no basis to remove the Applications from streamlined processing. The Bureau's decision to not treat her renewed attacks on the Commission's established framework for determining adequate replacement services as a basis for denying streamlined treatment does not demonstrate the existence of any procedural flaw. It shows the Commission's rules working as intended.¹⁹

Respectfully Submitted,

BRETT FARLEY
CHRISTOPHER HEIMANN
DAVID CHORZEMPA
DAVID LAWSON
AT&T SERVICES, INC.
601 New Jersey Ave. N.W., Ste. 650
Washington, DC 20001-3051

/s/ C. Frederick Beckner III
C. FREDERICK BECKNER III
MAUREEN R. JEFFREYS
WILLIAM C. PERDUE
ARNOLD PORTER KAYE SCHOLER LLP
601 Massachusetts Ave. N.W.
Washington, DC 20001-3743

Counsel for AT&T Services, Inc.

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¹⁸ See *Technology Transitions Order* ¶ 64; 47 C.F.R. § 63.71.

¹⁹ Thus, the Petition's overheated accusations that the Bureau staff "displayed depraved indifference and a lack of reasoned decision-making" or was "unable and/or unwilling to objectively consider [the] evidence," Petition at 13–14, are without any basis.