

May 29, 2026

The Honorable Ben Allen
Chair, Senate Energy, Utilities, and Communications Committee
1021 O Street, Suite 3350
Sacramento, CA 95814

RE: ACA-9 (Boerner): OPPOSE

Dear Chair Allen,

We, the below signed, represent a broad range of advocates, business associations, and community organizations invested in ensuring that everyone in California has access to affordable, reliable, high-quality phone and broadband service. Phone and broadband access are the backbone of public safety, quality education, and economic opportunity. Families seeking jobs need reliable connectivity, students require stable connections to learn, and communities rely on these tools to thrive. We write to you to adamantly oppose ACA 9 because it jeopardizes the future of equitable access to communications and all of the safety and opportunity it provides.

ACA 9 fundamentally weakens utility regulations and undermines the public good.

ACA 9 removes the CPUC's authority to establish its own procedures. It also removes the constitutional authority for commissioners to initiate their own hearings, investigate a problem, or issue an order for commission approval. This weakens the CPUC's ability to do what is necessary to ensure just and reasonable rates, enforce regulations and take other actions necessary to protect California's energy and water consumers.

These procedural powers allow the CPUC to establish beneficial grant programs, for commissioners to investigate consumer complaints or take actions to establish new proceedings on issues like disconnections, extreme heat, and many other issues that the commission has taken on independently because it benefits the public. If the commission loses that authority, it will have to wait for direction from the legislature before working on nearly any new question or issue, causing significant delays and tying the hands of this regulatory body to respond to issues of public concern in real time.

ACA 9 is the first step in deregulating telecommunications.

ACA 9 specifically weakens telecommunications regulation by removing telecommunications from being a constitutionally recognized public utility, a designation it has held since 1911. Eliminating the constitutional origin for equity policies will open the door for greater discrimination in the provision of key services.

Together with the elimination of its ability to establish procedures, these changes throw vital policies, projects, and consumer protections into jeopardy including incarcerated calling phone prices, Carrier of

Last Resort, the Lifeline program, the California Advanced Services Fund (CASF), tribal TTA, FFA, other tribal enforcement of service quality standards, and more.

ACA 9 does nothing to improve affordability

Although claims have been made that this ACA will help with affordability, it does no such thing. It adds a single sentence saying “In fixing rates, the commission shall consider the affordability of rates.”

This is not a meaningful step toward affordability because the consideration of affordability is already part of the commission’s work. The CPUC is already required to consider what is “just and reasonable” and has adopted affordability metrics, which every investor-owned utility (IOU) must present in the General Rate Case (GRC). Although there are many things the CPUC can and should be doing to achieve affordable rates, ACA 9 does nothing to affect change. In fact, since the affordability language is accompanied by the deletion of the commission's authority to adopt its own policies and procedures it may even harm the ability to achieve affordable rates as it ties the CPUC’s hands from making independent changes.

ACA 9 offers no substance and merely pays lip service to affordability to distract from its real goal, which is to remove the constitutional authority to regulate telecommunications and to eliminate the CPUC’s constitutional authority to adopt policies and procedures that may actually hold industry accountable.

ACA 9 disrupts the regulatory environment for other utilities, including energy, which is bad for ratepayers.

ACA 9 is the first step in deregulation.

ACA 9 is AT&T’s attempt to begin deregulation in California. This is happening at the same time that AT&T is fighting at the CPUC to end its Carrier of Last Resort (COLR) responsibilities, has filed applications at the FCC to end its residential and business services, and is actively suing the state of California to end COLR because the legislature rightly refused to do it. When looking at the full picture, AT&T is trying to bully California from all sides to achieve their goal of abandoning all low-profit geographies to increase profits regardless of the public safety implications.

We urge the committee to act in the best interest of the people of California and **vote NO on ACA 9.**

Sincerely,

Cleo Bluthental, California Community Foundation
Asher Waite-Jones, Debt Free Justice California
Ayn Craciun, Climate Action Campaign
Daisy Oram, California Alliance for Retired Americans
Jose Torre-Bueno, Center for Community Energy
Karen Mills, California Farm Bureau
John Smigelski, California Alliance for Community Energy
Phil Grosse, California Democratic Party Rural Caucus

Thom Davis, California IATSE Council

Vinuta Naik, Community Legal Services in East Palo Alto

Hugo Soto-Martinez, Councilmember City of Los Angeles

Linnea Jackson, Hoopa Valley Public Utilities District

Jenna Roper, Central California Asthma Collaborative

Elmer Lizardi, California Federation of Labor Unions

Caleb Ragan, Inland Empire Labor Council, AFL-CIO

Matthew Rantanen, Tribal Digital Village Network

Scott Wetch, State Association of Electrical Workers

Scott Wetch, California Coalition of Utility Employees

Scott Wetch, California State Pipetrades Council

Scott Wetch, Western States Council of Sheet Metal Workers

Matt Broad, California Conference of Machinists

Leigh Ferrin, National Consumer Law Center