

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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R2406012

Order Instituting Rulemaking Proceeding to
Consider Changes to the Commission's
Carrier of Last Resort Rules

Rulemaking 24-06-012
(Filed June 20, 2024)

EMF SAFETY NETWORK REPLY COMMENTS

Pursuant to the California Public Utilities Commission (CPUC) Rules of Practice and Procedure, EMF Safety Network (Network) submits these Reply Comments in the Order Instituting Rulemaking Proceeding to Consider Changes to the Commission's Carrier of Last Resort (COLR) Rules.

The initial list of questions set forth by the Commission provide direction into the issues to be addressed in this proceeding. The responses from the parties provide insight into the complicated and conflicting opinions and assertions. The COLR obligation ensures that everyone in California has access to safe, reliable, and affordable telephone service. This proceeding must also ensure the same.

California Broadband & Video Association ("CalBroadband") on page two of their Comments offered this description of the COLR Rules: "California's COLR rules were adopted in the 1990s as part of the transition from telephone monopolies to a competitive voice services market. These rules facilitated competition and provided that all Californians would have at least one option for "basic" telephone service (as that concept was understood at the time)". Network agrees with CalBroadband that there are many voice providers and choices, however Network asserts the only reliable and dependable telephone option available in an emergency when electricity fails is the wired copper lines, ie: the Plain Old Telephone System (POTS). Fiber optics will not work when the power is out. People with electrical sensitivities rely on POTS because they avoid wireless for health reasons and as a disability accommodation. Competition must include an option for POTS.

Network supports Empowering Quality Utility Access for Isolated Localities (EQUAL) Comments (Conclusion page 24) recognition that "Californians in isolated areas depend on copper-based POTS for access to a variety of essential services, including first responders."

Network agrees with CalAdvocates that "technology transitions to a modern communications

network must not adversely impact the environment.” (Comments page 7) Network agrees and asserts that it is a deeply grave mistake to continue to promote wireless infrastructure when independent peer reviewed published science shows evidence of environmental harm.

Network supports Reply Comments from Media Alliance. Under section II: "The Commission is Bound by Numerous Precedents to Uphold Universal Principals", *"This is crucial for a number of reasons including public safety in a time of increasing climate extremes, economic vitality including the important small business sector, and protection of vulnerable individuals whose connections to the outside world can affect their ability to survive. What these requirements mean has been described in several ways by different parties but hit upon the same basic themes: service must be available and accessible, it must be reliable and of sufficient quality, and it must be affordable... We cannot leave people, whatever the circumstances, without service... The stakes are high – it can be a matter of life and death."* **Network agrees.**

Under section III Media Alliance states: *"It is in fact, startling to us, that AT&T continues to state that Californians don't need or want services that Californians insist, in large numbers, that they do need and want... We should listen to them, not allow corporations with financial incentives [to] convince us that they know better what people want and need than the people themselves... In fact, the people are not crazy. They have good and sufficient reasons for feeling that plain old telephone service is something they want to pay for and continue to access.... Reasons will vary from rural isolation to difficult terrain to climate extremes to health concerns to familiarity and trust in the technology, to old age and disability... Let's face it. The commissions approves regular power safety shutoffs for energy conservation reasons that can make it impossible to charge a wireless device or use an internet connection. The Camp Fire, among other weather disasters, took out cell and internet service, and many if not most of the new technological innovations have vulnerable or inadequate back-up power facilities."* **Network agrees.**

Under section V- "Who Can be a COLR?" Media Alliance states: *"We take and agree with NTIA's affirmative statement that wireless providers should not be carriers of last resort designees. Voluntary VOIP designees, as pointed out, can also un-volunteer themselves, so any voluntary designation must be accompanied by a binding and enforceable agreement that the Commission has confidence that it can enforce."* **Network agrees.**

Network questions the use of VOIP designees since VOIP relies on a functioning power source,

and vital connections will fail in a power outage. Therefore, we believe VOIP is an unreliable alternative.

We agree that evidentiary hearings are needed including virtual public participation hearings, as this is a matter of great public importance.

In this era of climate emergencies and extreme weather events, the safest and most reliable phone system is the legacy copper lines: POTS. They should be maintained and serviced throughout California.

Dated: October 30, 2024 at Windsor California.

Respectfully submitted,

/s/ _____
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