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and Rob Bonta, in their Official Capacities

11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

15 **PACIFIC BELL TELEPHONE**
16 **COMPANY d/b/a AT&T**
17 **CALIFORNIA,**

18 Plaintiff,

19 v.

20 **JOHN REYNOLDS, in his official**
21 **capacity as President of the California**
Public Utilities Commission;
22 **DARCIE L. HOUCK, KAREN**
DOUGLAS, MATTHEW BAKER,
23 **and CHRISTINE HARADA, in their**
official capacities as Commissioners
24 **of the California Public Utilities**
Commission; ROB BONTA, in his
25 **official capacity as Attorney General**
of the State of California,

26 Defendants.
27
28

No. 3:26-cv-03148-LL-JAC

DECLARATION OF ROBERT B. OSBORN IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Dept: Courtroom 14B
Judge: Hon. Linda Lopez
Trial Date: Not Set
Action Filed: May 20, 2026

1 I, Robert B. Osborn, hereby declare and state as follows:

2 1. I submit this declaration in support of Defendants' Opposition to
3 Plaintiff's Motion for Preliminary Injunction in this matter. This declaration is
4 based upon matters within my own personal knowledge. If called as a witness, I
5 could and would competently testify to the matters stated herein.

6 2. I am the Director of Broadband Consumer Programs and Carrier
7 Oversight at the California Public Utilities Commission ("CPUC"). I have been
8 with CPUC for over 14 years. In my role, I manage three branches in the
9 Communications Division that oversee five consumer programs aimed at providing
10 safe, reliable, and affordable communications services to Californians, as well as
11 budget, human resources, contracts, licensing, and service quality.

12 3. CPUC is responsible for regulating investor-owned utilities within
13 California, including electricity, natural gas, telecommunications, and water
14 companies, as well as common carriers, to assure Californians' access to safe and
15 reliable utility infrastructure and services.

16 4. As part of that role, CPUC requires telecommunication carriers in
17 California, also known as Carriers of Last Resort ("COLR"), to offer basic service
18 to anyone that requests it in their territory.

19 5. COLRs must provide basic service to customers within their service
20 territory. Basic service is a suite of nine requirements designed to meet the
21 minimum needs that Californians have come to expect from their telephone service.

22 6. A COLR seeking to offer basic service using a technology that CPUC has
23 not previously approved may file a "Tier 2 Advice Letter" describing its basic
24 service offering. Tier 2 Advice Letters are subject to ministerial disposition by
25 CPUC staff.

26 7. If the COLR seeks to offer basic service using a new technology that
27 cannot meet all of the existing basic service requirements, the COLR may file a
28

1 “Tier 3 Advice Letter” explaining which of the existing requirements do not apply,
2 and how the new technology maintains essential basic service.

3 8. CPUC General Order 96-B sets forth the process governing advice letter
4 filings. This is a streamlined, informal process that does not require adjudication
5 before an Administrative Law Judge, and that must be conducted within strictly
6 defined time frames.

7 9. Pacific Bell Telephone Company d/b/a A&T California (“AT&T”) is a
8 COLR in California. AT&T offers basic service to Californians over both copper
9 and fiber facilities.

10 10. I understand that AT&T offers a service called AT&T Phone – Advanced
11 (“AP-A”). AT&T has never represented to CPUC that it wishes to offer basic
12 service through AP-A.

13 11. AT&T has never represented to CPUC that its AP-A offering includes
14 any of the following elements of basic service:

- 15 • flat rate options for unlimited incoming and outgoing calls,
- 16 • California LifeLine rates and charges for eligible customers;
- 17 • access to customer service information about Universal Lifeline
18 Telephone Service, service activation, termination, and repair, and bill
19 inquiries;
- 20 • one-time free blocking for information services and one-time billing
21 adjustments for charges incurred inadvertently, mistakenly, or without
22 authorization.
- 23 • Access to telephone relay service as provided in Pub. Util. Code
24 Section 2881.

25 12. I understand that AT&T’s AP-A service could cost more per month for
26 customers than its POTS offering, depending on mobile coverage. I also
27 understand that customers must purchase additional equipment to obtain telephone
28 service through AP-A.

