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

Application of Comcast Phone of California, LLC (U-5698-C) to expand its existing Certificate of Public Convenience and Necessity to provide limited facilities-based telecommunication service in the service territory of Ponderosa Telephone Co.

A.19-01-003

**RESPONSE OF COMCAST PHONE OF CALIFORNIA, LLC (U-5698-C) IN
OPPOSITION TO MOTION OF THE PONDEROSA TELEPHONE CO. TO STAY
APPLICATION OR HOLD IN ABEYANCE**

Pursuant to Rule 11.1(e) of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure (“Rules”), Comcast Phone of California, LLC (U-5698-C) (“Comcast Phone” or “Applicant”) submits this response in opposition to the Ponderosa Telephone Co. (“Ponderosa”) motion to stay or hold in abeyance (“Motion to Stay”) the application filed by Comcast Phone to expand the territorial scope of its CPCN to include Ponderosa’s service territory (“Application”).

Ponderosa’s Motion to Stay, which it filed simultaneously with a protest (“Protest”) to Comcast’s Petition, would defer consideration of Comcast’s request to expand its service territory to some unspecified date in the future. The Commission should reject this self-serving effort to delay consumer choice and prevent the benefits of competition.

Ponderosa’s argument – that the Commission Decision (D.) 14-12-084 (“2014 Decision”) mandates delay – is incorrect for numerous reasons, which are set forth in detail in Comcast Phone’s Reply to Ponderosa’s Protest. *See Reply of Comcast Phone of California, LLC (U-5698-C) to Protests by the Ponderosa Telephone Co.* (“Reply”). Comcast hereby incorporates the Reply by reference. The key arguments are set forth below:

- Federal and state law as well as Commission precedent favor approval of Comcast Phone’s Application without delay.
- The pendency of Comcast Phone’s Application for territorial expansion and its interconnection request mean that the issues the Commission deferred addressing in 2014 are now ripe for review.
- Contrary to Ponderosa’s allegations, the Application does not seek to “prejudge the outcome” of the CHCF-A proceeding. Comcast Phone’s request is fully consistent with the 2014 Decision and would have limited effect on Ponderosa and its draw on CHCF-A fund.
- Alternatively, the Commission should use this proceeding as the vehicle to conduct the “location-specific fact finding” for the Ponderosa service territory called for in the 2014 Decision.
- Granting the Application, without delay, is in the public interest to ensure consumers receive the benefit of Comcast’s advanced voice services, in addition to the wireless and over-the-top VoIP services already available in Ponderosa’s service territory. Singling out Comcast’s facilities-based, voice service as the only voice option that consumers are not able to receive simply does not make policy sense and arbitrarily deprives consumers of benefits of additional service choices.

For the reasons set forth in Comcast Phone’s Reply, Comcast Phone respectfully requests that the Commission deny Ponderosa’s Motion to Stay.

Respectfully submitted,

/s/ _____
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