



## **DRA**

*Division of Ratepayer Advocates  
California Public Utilities Commission*

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July 26th, 2011

Paul Clanon, Executive Director  
California Public Utilities Commission  
505 Van Ness Avenue, Room 5223  
San Francisco, California 94102

Dear Mr. Clanon,

The Division of Ratepayer Advocates (DRA) supports the letter submitted today by The Utility Reform Network (TURN) requesting an adjustment in the schedule in Investigation (I.) 11-06-009, in order to give the California Public Utilities Commission (Commission) and parties additional time to review significant new evidence related to the proposed merger of AT&T, Inc. and T-Mobile U.S.A. As TURN notes, AT&T is expected to file a new economic model and analysis supporting its alleged merger benefits with the Federal Communications Commission (FCC) this week.

The purpose of the Commission's investigation is to analyze the California-specific effects of the merger and determine whether Commission action is warranted, including the filing of further comments at the FCC. AT&T relied extensively on its federal economic model in its Opening Comments filed in this proceeding in order to justify the alleged benefits of the merger. This merger would have huge impacts on the consumers in California. In order for the Commission to provide informed, meaningful comments to the FCC on the effects of the proposed merger, and/or develop necessary protections for California consumers, the Commission should direct AT&T to file its new economic model along with supporting documentation with the Commission and allow parties the opportunity to review and comment on this new material.

The FCC has stopped its "shot-clock," the 180-day docket clock in order to allow time to evaluate and review AT&T's new model and to provide third parties an opportunity to provide feedback on the "yet-unseen" models. The schedule in this investigation was set to be consistent with the original FCC schedule, and is currently as follows:

Monday, August 1, 2011 – Opening Briefs on Market Definitions are due  
Friday, August 5, 2011 - Reply Comments are due  
Monday, August 8, 2011 – Reply Briefs on Market Definitions are due

DRA urges this Commission to suspend the schedule in I.11-06-009 until there is more information on AT&T's filing with the FCC. DRA wants both the Commission and parties to have the time necessary to review these new developments, and asks the Commission to provide guidance to the parties promptly.

Should you have any questions, please free to contact me at (415) 703-3281.

Very truly yours,



Joseph P. Como  
Acting Director  
Division of Ratepayer Advocates

Cc: Assigned Commissioner Sandoval  
Administrative Law Judge Hecht  
Service List in I. 11-06-009