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Media Contact: Glenn Lammi | glammi@wlf.org | 202-588-0302

## WLF Urges FCC to Preempt California's Carrier-of-Last-Resort Rules (*In re AT&T Services*)

***“California’s carrier-of-last-resort rules nullify the Commission’s Section 214 authority and force carriers to waste billions maintaining networks few customers still use.”***

— Cory Andrews, WLF General Counsel & Vice President of Litigation

WASHINGTON, DC—Washington Legal Foundation (WLF) today urged the Federal Communications Commission (FCC) to grant AT&T’s petition and preempt California’s carrier-of-last-resort regime. WLF contends that those rules block Commission-approved copper retirements, create impossible compliance conflicts, and frustrate the federal goal of network modernization.

The proceeding arises from AT&T’s May 20, 2026 petition seeking FCC preemption of state rules that force continued operation of legacy copper networks. The California Public Utilities Commission denied AT&T relief in 2024, launched a rulemaking that bars new applications until 2028, and now proposes expanding obligations to include wireline broadband across the entire territory.

In its comment, WLF argues that California’s regime is thrice preempted under express preemption, the impossibility exception, and conflict preemption. The rules nullify the Commission’s exclusive Section 214 authority and prevent the retirement of obsolete infrastructure in favor of superior modern alternatives. WLF urges the FCC to grant the petition and restore uniform federal policy that frees investment for networks delivering greater speed and reliability.

*Celebrating its 49th year, WLF is America’s premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.*

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