



SAN JOAQUIN
— COUNTY —
Board of Supervisors

Board of Supervisors

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June 11, 2026

The Honorable Ben Allen, Chair
Senate Energy, Utilities and Communications Committee
1021 O Street, Suite 7610
Sacramento, CA 95814

RE: ACA 9 (Boerner) Public Utilities Commission – OPPOSE as amended 5/28/26

Dear Senator Allen:

San Joaquin County writes to respectfully oppose ACA 9.

ACA 9 proposes a significant restructuring of California's utility regulatory framework by removing telecommunications from the California Constitution's definition of a public utility and eliminating the California Public Utilities Commission's (CPUC) constitutional authority to initiate investigations, hearings, policies, and procedures.

San Joaquin County is concerned that ACA 9 would substantially weaken oversight of telecommunications providers without establishing a clear replacement regulatory framework. Telecommunications services are critical public safety infrastructure that support emergency response, evacuation notifications, disaster recovery, healthcare access, education, economic development, and access to government services. Removing longstanding constitutional authority without clearly identifying how these responsibilities will be administered in the future creates significant uncertainty for local governments, residents, and businesses.

Of particular concern is the potential impact on Carrier of Last Resort (COLR) obligations. COLR requirements currently exist through CPUC rules and proceedings and help ensure that residents can obtain basic telephone service regardless of where they live. These protections remain especially important in agricultural, rural, mountain, Tribal, and high fire threat communities where reliable communications infrastructure can be essential during emergencies, power outages, wildfires, and other natural disasters.

The County is also concerned that ACA 9 would remove the CPUC's constitutional authority to investigate problems, establish proceedings, and adopt policies necessary to address emerging issues affecting utility customers. This authority has historically been used to address consumer complaints, service outages, affordability concerns, broadband deployment, and other issues affecting California residents. Without this authority, it is unclear how telecommunications-related issues would be addressed in a timely manner or what entity would be responsible for protecting consumers and ensuring service reliability.

Further, ACA 9 does not provide any meaningful or measurable relief from rising utility and telecommunications costs. While affordability has been cited as a justification for the measure, ACA 9 primarily restructures regulatory authority and removes existing constitutional powers from the CPUC. The measure does not lower rates, establish new affordability programs, provide financial assistance to consumers, expand broadband access, or create new consumer protections. Instead, it creates uncertainty regarding the future oversight of telecommunications services and programs that currently benefit California residents.

ACA 9 also raises significant questions regarding the future administration and oversight of telecommunications programs and consumer protections currently administered by the CPUC, including:

- Carrier of Last Resort (COLR) obligations;
- California Lifeline services for low-income households;
- Broadband deployment programs serving rural, Tribal, and underserved communities;
- Consumer complaint investigations and service quality enforcement;
- Communications resiliency, backup power, and disaster preparedness requirements; and
- Telecommunications merger review and public-interest oversight.

The County believes that any proposal to fundamentally alter California's constitutional framework for utility regulation should clearly demonstrate how consumers, ratepayers, and local communities will benefit. ACA 9 does not provide that clarity and leaves significant unanswered questions regarding public safety, consumer protection, universal service obligations, and regulatory accountability.

Given the importance of reliable communications services to public safety, emergency preparedness, economic opportunity, and rural communities, San Joaquin County respectfully urge your committee to reject ACA 9.

Sincerely,



Sukhminder S. Dhaliwal, Chair
San Joaquin County Board of Supervisors

c: Chair Scott Wiener & Members, Senate Elections and Constitutional Amendments
Committee
Assemblymember Tasha Boerner
San Joaquin County State Legislative Delegation