

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO ISSUE A SUBPOENA TO PACIFIC BELL TELEPHONE COMPANY D/B/A AT&T CALIFORNIA TO PROVIDE TESTIMONY AND PRODUCE DOCUMENTS AT A HEARING TO STUDY ACTION THE COUNTY MIGHT TAKE TO ADDRESS EMERGENCY PREPAREDNESS IN THE UNINCORPORATED AREAS OF THE COUNTY, INCLUDING THE COASTSIDE, THAT WILL BE HELD ON MARCH 26, 2024 AT 1 P.M. OR AS SOON THEREAFTER AS IS REASONABLE

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Pacific Bell Telephone Company d/b/a AT&T California (“AT&T”) possesses information and documents related to a subject matter under investigation by the Board of Supervisors and the Board of Supervisors is not reasonably able to acquire this information from other sources because of AT&T’s unique roles and obligations as the current designated Carrier of Last Resort for telecommunications services in certain areas of California, including in San Mateo County and AT&T’s designation as an Eligible Telecommunications Carrier; and

WHEREAS, AT&T has applied to the California Public Utilities Commission (“CPUC”) to be relieved of its Carrier of Last Resort status and obligations in certain areas of California, as well as its designation and obligations as an Eligible Telecommunications Carrier; and

WHEREAS, pursuant to the California Emergency Services Act and other authorities, the County has a responsibility to engage in emergency preparedness planning and among the matters that must be addressed in such planning is the

responsibility to undertake community outreach to prepare communities and individuals to take action in the event of emergency or disaster; and

WHEREAS, in light of the above-referenced applications that AT&T has submitted to the CPUC and the County's public safety-related obligations, including with respect to emergency preparedness and planning, the County has an urgent need to access information from AT&T regarding the specific areas of the County where AT&T's customers reside; locations where no accessible cellular signal exists; the instances when AT&T cellular service has failed, particularly during inclement weather or emergencies (such as the CZU Fire); and the number and places in those areas where customers have landlines provided by AT&T; and

WHEREAS, this Board has been presented with the form of subpoena requiring AT&T to attend a hearing of this Board and produce documents, has examined and approved it as to form and content, and desires to issue it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. That pursuant to its authority under California Government Code Section 25170, et seq., the Board of Supervisors hereby authorizes and directs the President of the Board to issue a Subpoena on behalf of the Board of Supervisors to Pacific Bell Telephone Company d/b/a AT&T California to provide testimony and produce documents at a hearing to study actions the County might take to address emergency preparedness in the unincorporated areas of the County, including the San Mateo County Coastside that will be held on March 26, 2024 at 1 p.m. or as soon thereafter as is reasonable.

2. The President of the Board, in consultation with the County Executive and the County Attorney, may modify the form of subpoena included with this Resolution prior to issuing it, consistent with the direction and intent of this Resolution, such modifications may include (but are not limited to) issuing the subpoena to other AT&T-related entities as necessary to obtain the requested information.
3. The President of the Board may, in his discretion, modify the date and time set forth in the draft subpoena, and may reissue the subpoena with a modified date and time, in order to accommodate the witnesses and Board's schedules.
4. This Resolution shall be interpreted consistent with its purpose and intent of gathering information solely to meet the County's public safety and planning obligations in manner that does not hinder or interfere with the exercise of any matters that are within the regulatory authority of the CPUC.

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