

Resolution on Joint Board Expenses

WHEREAS, The Separations Joint Board is created by 47 USC § 410(c). That statute requires that the FCC refer separations matters to what is now called the "80-286 Joint Board." NARUC now has four commissioners on that Joint Board, plus 10 staff positions. Under 47 USC § 410(c), the Separations Joint Board has the "power, duties and obligations" of a joint board under § 410(a), including the right to "receive such allowances for expenses as the Commission shall provide;" *and*

WHEREAS, Custom has varied over time for funding of the Separations Joint Board. Before passage of the 1996 Act, the FCC traditionally funded airfare, lodging, and meals for regular staff meetings. However, during the last five years, funding has been reduced significantly. Recently, State commissioners and staff who had already planned to attend NARUC meetings have received reduced reimbursement or no reimbursement for their Joint Board expenses; *and*

WHEREAS, The Universal Service Joint Board is created by 47 USC § 254(a)(1). Under section 254(a)(2), this Joint Board has continuing responsibility for universal service, and the FCC must act within one year on any recommendation made by this Joint Board. NARUC now has four commissioners on that Joint Board, plus 11 "funded" State staff positions. This joint board also includes a consumer advocate with three associated staff positions. 47 USC § 254(a)(1) states that the USF Joint Board is created "under section 410(c)." Accordingly, the Universal Service Joint Board has the same rights and obligations as the Separations Joint Board, including the rights created by section 410(a) to reimbursement of expenses; *and*

WHEREAS, Custom has varied for funding of the Universal Service Joint Board. Significant funding was provided following passage of the 1996 Act, but recently that funding has been reduced significantly. Recently, State commissioners and staff who had already planned to attend NARUC meetings have received reduced reimbursement or no reimbursement for their Joint Board expenses; *and*

WHEREAS, State members of each of the two Joint Boards anticipate a desirable level of activity equivalent to three regular meetings per year, in each case including two days of staff attendance and one day of attendance by commissioners; *now, therefore, be it*

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners ("NARUC"), convened in its 2000 Summer Meetings in Los Angeles, California, believes an FCC commitment to provide expense funding for significant and regular State participation in the joint board process will provide benefits to States and to the Federal government. These include improved coordination of carrier accounting and record-keeping requirements, better coordination between State and federal ratemaking policies, increased understanding of emerging issues, and more frequent communication with the public; *and be it further*

RESOLVED, Beginning in fiscal year 2001, the FCC should allocate expense reimbursement funds to the Separations Joint Board and the Universal Service Joint Board sufficient to support at least three regularly scheduled meetings per year for each board, in each case including two days of staff attendance and one day of attendance by commissioners. Allocations should include travel and per diem expenses for all State member commissioners and staff; *and be it further*

RESOLVED, The NARUC staff is directed to contact the relevant congressional committees and request that the funding appropriated through Congress in the FCC budget for Joint Board purposes be dedicated specifically for this function, without otherwise reducing appropriations to the FCC for other purposes.

Sponsored by the Committee on Telecommunications

Adopted by the Board of Directors, July 26, 2000