

Resolution in Support of Dedicated Funding for Federal/State Joint Boards

WHEREAS, *The Federal/State Joint Boards established under the Communications Act of 1934, 47 U.S.C. 410(c), are vested with the authority to investigate matters referred to them by the Federal Communications Commission which relate to jurisdictional separations of common carrier property and expenses between interstate and intrastate operations; and*

WHEREAS, *The Joint Board commissioners and their staffs' salaries are paid by their respective commissions; and*

WHEREAS, *The travel funds for convening the Joint Boards have been appropriated through the FCC budget as per Section 410(a) of the Communications Act of 1934; and*

WHEREAS, *The FCC in recent years has, due to lack of/or reallocation of funds or both, canceled several planned Federal/State Joint Board staff meetings; and*

WHEREAS, *The Joint Board procedure provides a valuable national service and has taken on greater significance since the AT&T divestiture, recent decisions overturning the FCC's preemption of state jurisdiction, e.g. Louisiana Public Service Commission v. FCC, 476 U.S. 355 (1986), and most recently the 9th Circuit Court decision on Computer III; and*

WHEREAS, *A recent Congressional Research Service study revealed that 80 of the 350 FCC orders between 1986 to 1988 were reversed or remanded by the U.S. Court of Appeals; and*

WHEREAS, *None of the orders fashioned through the Joint Board process has ever been reversed; now, therefore, be it*

RESOLVED, *That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), assembled at its 1990 Summer Committee Meeting in Los Angeles, California, directs the NARUC General Counsel 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.*

*Sponsored by the Committee on Communications
Adopted July 25, 1990*