

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(a) and (c), the Separations Joint Board has the right to "receive such allowances for expenses as the Commission shall provide;" *and*

WHEREAS, The Universal Service Joint Board was created in 1996. Under 47 USC § 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. Under, 47 USC § 254(a)(1), the Universal Service Joint Board has the same rights and obligations as the Separations Joint Board, including reimbursement of expenses; *and*

WHEREAS, Custom has varied over time for funding of the Joint Boards. Before passage of the 1996 Act, the FCC traditionally funded airfare, lodging, and meals for regular staff meetings of the Separations Joint Board. The Universal Service Joint Board, created in 1996, initially received significant funding, which more recently has been reduced; *and*

WHEREAS, In 2000 NARUC resolved to seek separate Congressional funding in fiscal year 2001 for joint board expenses, at a level 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; *and*

WHEREAS, In 2001 NARUC agreed to withdraw its Congressional funding request and accept in lieu thereof funding from the FCC of \$60,000 per year to be shared between the two joint boards; *and*

WHEREAS, The FCC has now reduced that funding by 50 percent, or \$30,000 per year for the two joint boards. Recently, the Separations Joint Board discovered that its share was insufficient to fund a single meeting; *now therefore be it*

RESOLVED, That the Board of Directors of National Association of Regulatory Utility Commissioners (NARUC), convened in its 2004 Summer Meeting in Salt Lake City, Utah, 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, That NARUC should seek funding from the FCC for the expenses of joint boards as a direct grant in an amount sufficient to support three meetings per year of each joint board; *and be it further*

RESOLVED, That if such grants are not provided, that NARUC staff is directed to seek alternative sources of funding, including contacting the relevant congressional committees and requesting that appropriations to the FCC for Joint Board purposes be identified specifically for this function.

Sponsored by the Committee on Telecommunications.

Adopted by the NARUC Board of Directors July 14, 2004