

WHEREAS, On November 16, 2001, the Federal Communications Commission (FCC) adopted a Notice of Proposed Rulemaking (NPRM) seeking comment on performance measures and standards for evaluating incumbent local exchange carrier (ILEC) performance in the ordering, provisioning and maintenance of interstate special access services, as well as the means to implement and enforce such measures and standards; and

WHEREAS, The FCC notes in its NPRM that several State Commissions, including New York, Minnesota, Massachusetts and Texas, recently have inquired into certain special access performance issues; and

WHEREAS, Timely provisioning and repair of special access services are critical to the deployment of high-speed dedicated, advanced packet-switched and Internet access services, on which many businesses depend; and

WHEREAS, These "last mile" links are also critical to the development of facilities-based competition in the States' local telecommunications markets; and

WHEREAS, The ILECs remain the dominant providers of special access services to Interexchange Carriers (IXCs), Competitive Local Exchange Carriers (CLECs) and end user business customers throughout the country; and

WHEREAS, Establishment of reliable and consistent performance measures and standards covering ordering,

provisioning and maintenance of special access services would allow competitors and regulators to evaluate performance and provide incentives to ensure high-quality service to competitors and end-users; and

WHEREAS, A strong, straightforward enforcement mechanism would create incentives for adequate performance in the ordering, provisioning and maintenance of special access services; now therefore be it

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened in its February 2002 Winter Meetings in Washington, D.C., urges the FCC to adopt performance measures and standards, reporting requirements and a strong, straightforward enforcement mechanism for the ordering, provisioning and maintenance of wholesale and retail interstate special access services by all providers; and be it further

RESOLVED, That NARUC instructs its General Counsel to convey this position to the FCC in its pending special access proceeding and to take such other actions as are appropriate to implement the intent of this resolution.

Sponsored by the Committee on Telecommunications
Adopted by the NARUC Board of Directors February 13, 2002