

**Resolution Concerning  
Video Dialtone Network Development**

**WHEREAS,** The Federal Communications Commission's (FCC) decisions regarding video dialtone, described in its Further Notice of Proposed Rulemaking, First Report and Order, and Second Notice of Inquiry in CC Docket No. 87-266, are intended to make alternative facilities available for the distribution of video programming and other broadband services, in order to benefit consumers by providing them with additional choices; and

**WHEREAS,** In April of 1994, the NARUC and others submitted comments and filed petitions for reconsideration of the FCC's proposed rules and preemption of State authority in CC Docket No. 87-266; and

**WHEREAS,** The FCC has several video dialtone Section 214 applications pending;

**WHEREAS,** The FCC approved New Jersey Bell's video dialtone application without prescribing specific jurisdictional cost allocations and adequate monitoring provisions, although the FCC apparently will require the establishment of subsidiary accounting records to identify and submit quarterly reports on the revenues, investments, and expenses associated with video dialtone service; and

**WHEREAS,** Uniform national technical standards for interconnection must be in place and enforced in order to assure that multiple video providers are able to effectively compete; and

**WHEREAS,** The FCC must address through a Joint Board jurisdictional separations and cost allocations in conjunction with video dialtone offerings and other broadband services; and

**WHEREAS,** In April of 1993 the National Cable Television Association (NCTA) and Consumer Federation of America (CFA) jointly petitioned, and CFA later petitioned again in 1994, for the FCC to convene a rulemaking and a joint board to address and resolve these issues; and

**WHEREAS,** There is a need to collect basic industry information in a consistent format on the customer benefits derived from the video dialtone and integrated broadband investments of all providers of video services; and

**RESOLVED,** The National Association of Regulatory Utility Commissioners (NARUC), convened at its Summer Meeting in San Diego, California, continues to support the deployment of this new technology in a reasonable manner.

**RESOLVED,** The FCC should electronically collect from all providers of video dialtone and integrated broadband services a minimum level of quantitative information, such as is filed in the Automated Reporting Management Information System (ARMIS) and to include, at a minimum, the following:

Financial information in a simple income and balance sheet;

Market demographics, including number of programmers using the system, number of customers served, number of customers passed, and number of non-subscribers by major category of services;

Detailed statistics on service quality, including number and type of customer complaints (down time, loss of signal, interference, etc.);

System capabilities, such as number of channels, bandwidth availability, fiber/copper deployment; and

A detailed description of common/private carrier type services provided by the video dialtone provider; and be it further

**RESOLVED**, That the FCC should make available all such information to State commissions on a computer accessible dial-up data basis and furthermore, the FCC should make available to the public through the FCC CC Docket 87-339 Monitoring Report all information except that information protected from disclosure by law or FCC rule; and

**RESOLVED**, That the FCC should work cooperatively with the State regulatory agencies and franchising authorities to develop uniform technical standards for interconnection for video dialtone and integrated broadband services; and

**RESOLVED**, That the FCC should refer the video dialtone jurisdictional cost allocation issues, including the need to assure that there is no jurisdictional mismatch between allocation of revenues and costs, to a Joint Board; and be it further

**RESOLVED**, That the FCC should work cooperatively with the States to revise all the relevant rules to ensure that video dialtone service does not result in unreasonable cross subsidization; and be it further

**RESOLVED**, That the FCC complete a proceeding to resolve these issues within the next twelve (12) months based on NARUC's recommended joint governance procedures as described in NARUC's proposed amendments to S.1822; and

**RESOLVED**, That the NARUC General Counsel initiate and/or pursue any appropriate and necessary actions to effectuate the intent of this Resolution.

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Sponsored by the Committee on Communications  
Adopted July 27, 1994  
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