



N A R U C
National Association of Regulatory Utility Commissioners

July 29, 2013

The Honorable Jay Rockefeller
Chairman
Committee on Commerce, Science & Transportation
254 Russell
Washington, D.C. 20510

The Honorable Mark Pryor
Chairman
Subcommittee on Communications,
Technology & the Internet
428 Hart
Washington, D.C. 20510

The Honorable John Thune
Ranking Member
Committee on Commerce, Science & Transportation
560 Dirksen
Washington, D.C. 20510

The Honorable Roger Wicker
Ranking Member
Subcommittee on Communications,
Technology & the Internet
560 Dirksen
Washington, D.C. 20510

Re: Senate Resolution 157 - A resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

Dear Chairmen Rockefeller, Pryor and Ranking Members Thune, Wicker:

On behalf of the National Association of Regulatory Utility Commissioners (NARUC), we are writing to share our strong support for *Senate Resolution 157* (S. Res 157), which expresses the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone customers in those areas. NARUC and its members consider these kinds of call-completion issues unacceptable and have urged the Federal Communications Commission (FCC) to take firm and swift action to address it. We urge the committee and the full Senate to adopt S. Res. 157 as soon as possible.

NARUC represents the government regulators from each of your States, U.S. Territories, and the District of Columbia on, among other things, telecommunications utilities. Our public utility commissioner members know and understand local markets and conditions, and therefore are well aware of rural call completion problems. We have helped draw attention to this problem and some States have taken action directed at the issue on the intrastate level. This is a serious problem that affects consumers and businesses at each end and undermines public safety.

Just last week at the NARUC Summer Meeting in Denver, call completion issues were once again a topic of discussion. FCC Wireline Bureau Chief Julie Veach provided our members with an FCC update and was asked several questions regarding call completion and expected action. State Commissioners urged for more enforcement and cooperation with State-level activities. The idea of establishing a memorandum of understanding between the FCC and State public utility commissions (PUCs) to share information and work collaboratively on enforcement was raised.

Prior to our most recent discussion, an unprecedented one hundred twelve (112) State commissioners from forty-four (44) States signed a letter in February to the FCC urging immediate action stating “enforcement

action is needed to correct this problem.”¹ This letter followed up on two NARUC policy resolutions on this issue.²

We applaud the FCC for their actions so far, at least for the long term, the agency’s proceeding on data collection and retention will assist in identifying call completion problems and allow for quicker enforcement efforts. Indeed, the one enforcement action via consent decree was a step in the right direction. However, in the short term, call completion problems persist and other than an enforcement advisory to carriers on July 19, the FCC has taken no additional enforcement action to NARUC’s knowledge.

In conclusion, S. Res. 157 will send a strong signal to the FCC that such problems must not be allowed to persist. NARUC is committed to working with Congress, this Committee and the FCC to ensure all Americans have access to high-quality communications services no matter where they live. State PUCs welcome to opportunity to collaborate with the FCC to address this issue. In the meantime, we urge you to quickly pass S. Res. 157.

If you have questions about NARUC’s positions or would like to discuss it further, please contact NARUC Legislative Director Brian O’Hara at (202)898-2205, bohara@naruc.org or NARUC General Counsel Brad Ramsay at (202)898-2207, jramsay@naruc.org.

Sincerely,



Philip Jones
NARUC President



John Burke
Chair, Committee on Telecommunications

cc: Members of the Committee on Commerce, Science & Transportation

¹ NARUC letter to the FCC on call termination signed by 112 commissioners from 44 States, Feb. 11, 2013. http://www.naruc.org/Filings/13%200207%20NARUC%20112%20Commissioner%20signed%20from%2044%20States%20Call%20Completion%20Letter_NPRM%20ref_UNSIGNED%20VERSION.pdf

² The July 20, 2011 “Resolution on Federal-State Joint Efforts to Address and Resolve Call Termination Issues,” specifically encourages the FCC to reaffirm “that no carriers, including interexchange carriers, may block, choke, reduce or restrict traffic in any way.” A subsequent July 25, 2012 “Resolution Addressing Rural Call Termination Issues” urges the FCC to address current call termination issues through the remedies outlined in the February 6, 2012 FCC Declaratory Ruling.