

Resolution on Recommendations for Promoting Broadband Facilities Access to Public Rights-of-Way and Public Lands

WHEREAS, In February 2002, NARUC adopted a resolution encouraging all governmental entities to act on applications for access to public rights-of-way in a reasonable and fixed period of time, to treat all providers uniformly and in a competitively neutral manner consistent with applicable federal and State law, to ensure that their control over access to public rights-of-way and public lands is used to facilitate the deployment of telecommunications facilities; *and*

WHEREAS, That resolution also created a Study Committee on Public Rights-of-Way and charged it with developing recommendations for reducing the extent to which rights-of-way access serves as a barrier to the deployment of advanced telecommunications and broadband networks; *and*

WHEREAS, The Study Committee invited and received participation by the industry and by groups representing agencies and governments that own public lands or offer public rights-of-way and other organizations representing governmental interests; *and*

WHEREAS, The Study Committee has produced a report that outlines several possible methods to address the competing interests involved; *and*

WHEREAS, The report of the Study Committee contains several views regarding the issues; *now, therefore, be it*

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners, convened in its 2002 Summer Meetings in Portland, Oregon, offers its thanks to the Study Committee and all those that have submitted ideas and participated in the Rights-of-Way project and without endorsing the report, recommends that regulators, academia, units of government and all industry sectors carefully review the report of the Study Committee on Public Rights of Way.

Sponsored by the Committee on Telecommunications
Approved by the Board of Directors July 31, 2002