

**Resolution Regarding  
800 Debit Cards**

**WHEREAS**, The provision of 800 debit cards has only recently become available in this country; and

**WHEREAS**, On April 29, 1993, Time Machine Inc ("TMI") filed a petition asking the Federal Communications Commission ("FCC") to preempt ALL state authority over alleged "incidental" intrastate usage of TMI's 800-debit card service; and

**WHEREAS**, On June 10, 1993, the FCC placed this petition on public notice in DA 93-617, and

**WHEREAS**, TMI has not attempted to quantify for the record the level of intrastate use of its proposed services;

**WHEREAS**, By TMI's own admission, its card will be used to provide some unspecified quantity of "intrastate" service; and

**WHEREAS**, Under existing jurisprudence, even if the TMI-acknowledged intrastate use is "incidental", such intrastate usage is subject to state regulatory authority; and

**WHEREAS**, In spite of TMI's protestations to the contrary, its proposed debit card services can be allocated jurisdictionally;

**WHEREAS**, Additional reservations concerning these TMI allegations are raised by the fact that (1) at least one other 800 debit card service provider, World Telecom Group, Inc, is already authorized to do business in 25 states, and is seeking authorization in others, and that (2) technical/economic barriers do not prevent existing [non-debit card] 800 service providers from providing reports on jurisdictional use; now, therefore, be it

**RESOLVED**, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), convened at its 1993 Summer Meeting in San Francisco California, urges the FCC to summarily reject TMI's petition; and be it further

**RESOLVED**, That the NARUC General Counsel shall file papers and other documents supporting the policies of this resolution in the appropriate forums to further this recommendation.

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Sponsored by the Committee on Communications  
Adopted July 28, 1993  
Reported NARUC Bulletin, No. 32-1993, page 5.