

**Resolution Concerning the FCC Rules to Establish New Personal Communications Services in GEN Docket No. 90-314, RM-7140 & RM-7175**

**WHEREAS**, The Federal Communications Commission (FCC) has chosen to investigate the development and implementation of new Personal Communications Services (PCSs) and Personal Communications Networks (PCNs) in GEN Docket No. 90-314, RM-7140 & RM-7175; and

**WHEREAS**, Comments on this Notice were due on or before October 1, 1990 and Reply Comments are due on or before November 30, 1990; and

**WHEREAS**, The FCC is specifically requesting information to determine which new PCSs are needed, where in the spectrum those services should be provided if at all, how much spectrum should be allocated to them, whether and how the services should be regulated, and what technical standards should be adopted; and

**WHEREAS**, The FCC will also be addressing two petitions for rule making, from Cellular 21, Inc. and PCN America, Inc., that propose establishment of particular types of PCSs; and

**WHEREAS**, PCSs include a broad range of radio communications services that free individuals from the constraints of the wireline public switched telephone network and enables communications away from home or office telephones; and

**WHEREAS**, Basic forms of these services include the current cordless telephone and paging devices, while car telephone services represent a more advanced form of PCSs; and

**WHEREAS**, Public demand has begun to appear for even more advanced forms of PCSs; and

**WHEREAS**, Hand-held portable telephones enable individuals to call or be called at any time they are within a cellular system, as opposed to car installed telephones; and

**WHEREAS**, The next generation of PCSs being developed today appears to be moving towards person-to-person, instead of station-to-station, communications; now therefore be it

**RESOLVED**, That the National Association of Regulatory Utility Commissioners (NARUC), convened in its 102nd Annual Convention in Orlando, Florida, encourages the FCC to allow the development of Personal Communication Services (PCSs) and Personal Communication Networks (PCNs) by allocating spectrum frequencies to be shared with existing frequency users; and be it further

**RESOLVED**, That the applicant who receives the new allocations should be required to provide common carriage on an unbundled basis in accordance with uniform technical standards and minimum service standards established for service provisioning; and be it further

**RESOLVED**, That States should be allowed to regulate the intrastate rates, terms and geographic service territories if they deem necessary; and be it further

**RESOLVED**, That both State and federal regulators should work together to develop methods for service monitoring; and be it further

**RESOLVED**, That the FCC should allocate spectrum to multiple providers and State commissions be allowed to regulate franchises; and be it further

**RESOLVED**, That authorized service providers in a given geographic area should not be affiliated with one another; and be it further

**RESOLVED**, That these service providers should be regulated as common carriers and should be required to offer all services on a publicly-available, unbundled, non-discriminatory basis to all potential users. State Commissions should not be preempted from regulating PCSs/PCNs because these services/ networks represent a communications public system, offered by a service provider for the purpose of providing local communications. PCSs/PCNs should be viewed as a complementary method of providing the services currently offered by local exchange carriers, and the same type of regulations should continue to apply to these like services; and be it further

**RESOLVED**, That the local wireline carrier in the market area should not be precluded by rules established in this proceeding from being an authorized service provider; and be it further

**RESOLVED**, That the service provider must allow access to all local and interexchange/toll carriers, and that all emergency calls must be routed in the fastest possible way to the proper local emergency service provider; and be it further

**RESOLVED**, That the FCC should consider that regional or local market size should represent the most appropriate priority sequence for the availability of licenses for PCS/PCN service providers; and be it further

**RESOLVED**, That the NARUC General Counsel file comments with the FCC to express the concerns of NARUC regarding the development of PCNs and PCSs.

Adopted November 14, 1990  
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