

Resolution on Legislation to Establish a Broadband Lifeline Assistance Program

WHEREAS, The Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened at its February 2008 Winter Meetings in Washington, D.C., adopted a resolution that urged “Congress to support the designation of broadband services as eligible to receive support under the Lifeline and Link-Up programs, so that individuals with disabilities who qualify under these programs are given the choice of directing their subsidies to either PSTN-based or broadband-based communication services;” *and*

WHEREAS, The NARUC Board of Directors, convened at its July 2008 Summer Meetings in Portland, Oregon, adopted a resolution that “supports programs and initiatives which eliminate barriers to broadband technology access, adoption, availability, delivery, education and usage in low-income communities;” *and*

WHEREAS, The NARUC Board of Directors, convened at its February 2009 Winter Meetings in Washington, D.C., adopted a resolution that “strongly encourages the FCC to declare broadband Internet access service as a service eligible for the universal support mechanisms for the Lifeline and Link-Up programs;” *and*

WHEREAS, The Federal Communications Commission (FCC) has not responded favorably to the Federal-State Joint Board on Universal Service’s (“Joint Board”) *Recommended Decision* (FCC 07J-4), released on November 20, 2007, which concluded that broadband Internet access service satisfies the criteria in section 254(c) of the Telecommunications Act of 1996 and recommended to the FCC that it “revise the current definition of supported services to include broadband Internet service;” *and*

WHEREAS, The FCC has not yet acted on Comments and Reply Comments filed by several State Commissions and NARUC in support of proposals to establish a Broadband Lifeline/Link-Up Pilot Program as set forth in an *Order on Remand and Report and Further Notice of Proposed Rulemaking* (FCC 08-262), released on November 5, 2008; *and*

WHEREAS, On September 24, 2009, Congresswoman Matsui introduced “The Broadband Affordability Act of 2009” (HR 3646) that would require the FCC, within 270 days of enactment, to establish a broadband Lifeline program, in consultation with the Joint Board, which “enables qualifying low-income customers residing in urban and rural areas to purchase broadband service at reduced charges by reimbursing providers for each such customer served;” *now, therefore be it*

RESOLVED, That the National Association of Regulatory Utility Commissioners, convened at its 2009 Annual Convention in Chicago, Illinois, encourages Congress to enact legislation, to implement a broadband Lifeline/Link-Up program, in consultation with the Federal-State Joint Board on Universal Service, and encourages the FCC to act expeditiously to implement said program.

Sponsored by the Committee on Telecommunications

Recommended by the NARUC Board of Directors November 17, 2009

Adopted by the Committee of the Whole, November 18, 2009