

1 SENATE MEMORIAL 131

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 George K. Munoz

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10 A MEMORIAL

11 REQUESTING THE PUBLIC REGULATION COMMISSION TO INQUIRE AND MAKE
12 RECOMMENDATIONS ABOUT APPROACHES FOR AMENDING THE STATE RURAL
13 UNIVERSAL SERVICE FUND TO PROVIDE GREATER BENEFITS TO THE
14 PUBLIC, TO LESSEN THE BURDEN ON RATEPAYERS, TO PROVIDE GREATER
15 ACCOUNTABILITY FROM CARRIERS RECEIVING FUNDING AND TO MORE
16 EFFECTIVELY ADVANCE THE GOAL OF INCREASING BROADBAND INTERNET
17 ACCESS THROUGHOUT NEW MEXICO.

18
19 WHEREAS, the Rural Telecommunications Act of New Mexico
20 has established a state rural universal service fund; and

21 WHEREAS, the majority of the state rural universal service
22 fund proceeds are dedicated to supporting rural incumbent local
23 exchange carriers pursuant to a formula based principally upon
24 reduction of intrastate access charges; and

25 WHEREAS, the public regulation commission has a duty to

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1 ascertain whether fund recipients are using this funding to
2 ensure the availability of universal service as determined by
3 the commission at affordable rates in rural areas of the state;
4 and

5 WHEREAS, in the current legislative session, a
6 telecommunications carrier has sought funding from the state
7 rural universal service fund comparable to funding received by
8 the rural incumbent local exchange carriers through a proposed
9 amendment to the Rural Telecommunications Act of New Mexico;
10 and

11 WHEREAS, under current law, the public regulation
12 commission appears to lack the authority and resources to
13 track, monitor or otherwise ensure that the state rural
14 universal service fund is expended in the most efficient and
15 economical manner; and

16 WHEREAS, since 2005, approximately three hundred million
17 dollars (\$300,000,000) has been collected from ratepayers and
18 disbursed through the state rural universal service fund;

19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
20 OF NEW MEXICO that the public regulation commission be
21 requested to inquire and make recommendations about approaches
22 for amending the state rural universal service fund to provide
23 greater benefits to the public, to lessen the burden on
24 ratepayers, to provide greater accountability from carriers
25 receiving funding and to more effectively advance the goal of

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1 increasing broadband internet access throughout New Mexico; and

2 BE IT FURTHER RESOLVED that the public regulation
3 commission be requested to report its findings and
4 recommendations to the appropriate interim legislative
5 committee by December 1, 2019; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the chair of the public regulation commission
8 and the chair of the legislative finance committee.

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