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SENATE MEMORIAL 44

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Phil A. Griego

A MEMORIAL

**REQUESTING THE APPROPRIATE INTERIM LEGISLATIVE COMMITTEE TO
REVIEW AND DETERMINE APPROPRIATE TELECOMMUNICATIONS REGULATION
IN AN INCREASINGLY COMPETITIVE TELECOMMUNICATIONS ENVIRONMENT
AND TO MONITOR THE DEVELOPMENT OF AN ALTERNATIVE FORM OF
REGULATION PLAN.**

**WHEREAS, telecommunications competition among wireless,
wireline and reseller providers is spreading throughout urban
and rural New Mexico; and**

**WHEREAS, telecommunications providers who operate in New
Mexico are regulated unequally by the public regulation
commission; and**

**WHEREAS, other states, including Utah, Iowa and South
Dakota, have lessened regulation in response to
telecommunications competition; and**

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1 WHEREAS, New Mexico consumers benefit from a competitive
2 marketplace; and

3 WHEREAS, the public regulation commission is charged by
4 statute to promote competition, and it has been the expressed
5 intent of the legislature, since 1985, to transition from a
6 regulated telecommunications industry to a competitive market
7 environment; and

8 WHEREAS, the public regulation commission and Qwest will
9 be negotiating a new alternative form of regulation plan in
10 2005;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
12 OF NEW MEXICO that the appropriate interim legislative
13 committee be requested to work with the public regulation
14 commission, the attorney general and the telecommunications
15 industry to review and determine appropriate requirements for
16 telecommunications providers that would allow them to conduct
17 business in a competitively neutral telecommunications
18 marketplace in New Mexico; and

19 BE IT FURTHER RESOLVED that the appropriate interim
20 legislative committee require regular updates from the public
21 regulation commission and Qwest on the negotiation of Qwest's
22 new alternative form of regulation plan and assist in finding
23 middle ground on issues that may be at an impasse; and

24 BE IT FURTHER RESOLVED that the appropriate interim New
25 Mexico legislative committee report its findings to the senate

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underscored material = new
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1 leadership, the house leadership and the governor prior to the
2 second session of the forty-seventh legislature; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 sent to the president of Qwest New Mexico, the chairman of the
5 public regulation commission and the co-chairs of the New
6 Mexico legislative council.