

1 A JOINT MEMORIAL

2 REQUESTING THAT THE FEDERAL COMMUNICATIONS COMMISSION ADOPT
3 BROADBAND AND UNIVERSAL SERVICE FUND REFORMS THAT PRESERVE
4 REQUIRED STATUTORY MANDATES AND PROMOTE BROADBAND DEPLOYMENT
5 IN ALL HIGH-COST AREAS.

6
7 WHEREAS, the legislature of the state of New Mexico is
8 concerned about the potential adverse impacts that the
9 federal communications commission's proposed broadband and
10 universal service fund reforms may have on investment and
11 economic development in New Mexico; and

12 WHEREAS, New Mexico shares the commission's goals for
13 deploying broadband service to consumers throughout New
14 Mexico and the rest of the nation; and

15 WHEREAS, deployment of broadband service at sufficient
16 speeds in high-cost areas is critical to enabling consumers
17 to benefit from the continued availability and expansion of
18 broadband connectivity, thus avoiding the looming prospect of
19 a lasting "digital divide"; and

20 WHEREAS, the current federal communications commission's
21 universal service fund support programs have contributed to
22 the deployment of a robust, advanced telecommunications
23 infrastructure in some high-cost areas in New Mexico, with
24 the result that, today, many telecommunications carriers
25 serving high-cost areas have enhanced networks to allow

1 broadband services to be offered to a high percentage of
2 their customers; and

3 WHEREAS, the federal communications commission's reform
4 of universal service fund high-cost support should result in
5 a program that is properly sized and targeted to high-cost
6 rural areas in order to achieve the goal of universal service
7 and avoid adverse impacts on the ongoing operation and
8 maintenance of the modern voice and data networks and
9 services currently provided by telecommunications carriers
10 serving high-cost areas in New Mexico; and

11 WHEREAS, a significant reduction in the amount of
12 support provided to rural carriers under the universal
13 service fund high-cost support program could result in
14 unreasonably large rate increases and elimination of services
15 for customers in rural New Mexico in order to replace the
16 federal universal service fund support that some rural
17 carriers have received for several decades; and

18 WHEREAS, if the current federal universal service fund
19 support program is eliminated without a workable replacement
20 support program for high-cost rural areas, the reformed
21 universal service fund support program will not meet the
22 statutory requirements of U.S.C. 47.5, 254(b)(3) for
23 comparable service, comparable rates and sufficient,
24 predictable universal service fund support for investment in
25 high-cost areas of the nation; and

1 WHEREAS, the commission's broadband and universal
2 service fund reforms must adequately account for the high
3 cost of operations and maintenance for serving high-cost
4 rural areas in New Mexico for both existing and future voice
5 and broadband networks; and

6 WHEREAS, uncertainty created by the federal
7 communications commission's proposed broadband and universal
8 service fund reforms is likely to have a chilling effect on
9 the availability of capital to fund future rural broadband
10 development;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
12 STATE OF NEW MEXICO that the proposed broadband and universal
13 service fund reforms pending before the federal
14 communications commission be considered in such a manner that
15 addresses required statutory mandates for comparable service,
16 comparable rates and explicit universal service fund support
17 for investment in high-cost areas of the nation and that such
18 reforms result in the appropriate amount of support being
19 made available to all telecommunications carriers serving
20 high-cost areas consistently; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the federal communications commission, to each
23 of the current commissioners of the commission, to the New
24 Mexico congressional delegation and to the public regulation
25 commission.
