

A JOINT MEMORIAL

REQUESTING THE APPROPRIATE INTERIM LEGISLATIVE COMMITTEE TO  
CONSIDER THE APPROPRIATE REGULATION FOR ALL TELECOMMUNICATIONS  
CARRIERS IN NEW MEXICO.

WHEREAS, the legislature declared that the purpose of  
the New Mexico Telecommunications Act is to permit a  
regulatory framework that will allow an orderly transition  
from a regulated telecommunications industry to a competitive  
market environment; and

WHEREAS, the legislature further declared that the  
encouragement of competition in the provision of public  
telecommunications services will result in greater investment  
in the telecommunications infrastructure in the state,  
improved service quality and operations and lower prices for  
such services; and

WHEREAS, in the Rural Telecommunications Act of New  
Mexico, the legislature declared its intent to maintain the  
availability of telecommunications services for rural  
customers at affordable rates; and

WHEREAS, to the extent that it is consistent with making  
such affordable services available for rural customers, it is  
also the policy of the state to encourage competition and  
reduce regulation in the telecommunications industry so as to  
allow access by the public to advances in telecommunications

technology; and

WHEREAS, the legislature has declared that disparate regulatory treatment for rural telephone carriers requires relaxed regulation to reduce the cost of regulation as well as the regulatory burden, permitting pricing flexibility and expediting required rate approvals, all in a manner consistent with the purpose of an orderly transition from regulation to a competitive market environment; and

WHEREAS, telecommunications companies and mid-size carriers provide public telecommunications service to urban and rural areas of New Mexico and are regulated differently than incumbent rural telecommunications carriers; and

WHEREAS, competitive local exchange carriers and wireless carriers, which directly compete with incumbent telecommunications companies, mid-size carriers and incumbent rural telecommunications carriers, are regulated differently or are not regulated by the public regulation commission; and

WHEREAS, it is in the public interest for the legislature, the public regulation commission and affected parties to consider the matter of state responses to the changes occurring in the telecommunications industry and the disparate regulations and regulatory burdens governing competitors that compete for the same customers as well as the potential to further streamline regulatory procedures for all telecommunications carriers to ensure widespread availability

of services at affordable rates in urban and rural New Mexico;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to direct the appropriate interim legislative committee to hear testimony and receive recommendations from the public regulation commission, the attorney general and representatives of the telecommunications industry, after cooperative efforts to review and consider the extent to which changes in statutes and regulations affecting all telecommunications carriers may be needed in order to ensure a regulatory environment in which all competitors have an equal opportunity to compete in the marketplace without undue regulatory burdens; and

BE IT FURTHER RESOLVED that the appropriate interim legislative committee be requested to recommend appropriate legislation for the second session of the fifty-first legislature; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council, the chair of the public regulation commission, the attorney general, the governor and representatives of the telecommunications industry.