A JOINT MEMORIAL

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

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

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

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

WHEREAS, the current federal communications commission's
universal service fund support programs have contributed to
the deployment of a robust, advanced telecommunications
infrastructure in some high-cost areas in New Mexico, with
the result that, today, many telecommunications carriers
serving high-cost areas have enhanced networks to allow
broadband services to be offered to a high percentage of
their customers; and

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

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

WHEREAS, if the current federal universal service fund
support program is eliminated without a workable replacement
support program for high-cost rural areas, the reformed
universal service fund support program will not meet the
statutory requirements of U.S.C. 47.5, 254(b)(3) for
comparable service, comparable rates and sufficient,
predictable universal service fund support for investment in
high-cost areas of the nation; and
WHEREAS, the commission's broadband and universal service fund reforms must adequately account for the high cost of operations and maintenance for serving high-cost rural areas in New Mexico for both existing and future voice and broadband networks; and

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

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

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