

NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS

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## **NARUC Calls for Constructive Engagement on ICC Reform**

WASHINGTON—The National Association of Regulatory Utility Commissioners, led by former NARUC Task Force on Intercarrier Compensation member Commissioners Ray Baum (OR), Larry Landis (IN), John Burke (VT) and Phil Jones (WA) and the NARUC Committee on Telecommunications, issued the following statement as an open letter to all stakeholders involved in the Intercarrier Compensation debate ongoing at the Federal Communications Commission:

To: All Stakeholders

From: The National Association of Regulatory Utility Commissioners

Date: Oct. 6, 2008

Re: Intercarrier Compensation

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Currently, there is a greater chance to implement meaningful reform of the broken and dysfunctional intercarrier compensation system than at any point in the past seven years. However, the lack of engagement among critical stakeholders threatens to squander this opportunity. Unfortunately, as the FCC draws closer to proposing a solution, it is increasingly apparent that key parties to the debate are talking past one another.

While there has been a blizzard of FCC filings and agency-stakeholder meetings, with a few notable exceptions, there has been relatively little discussion among stakeholders, little movement by stakeholders from entrenched positions, or even indications that these parties are communicating meaningfully. If the FCC is to take credible action by the Chairman's proposed deadline, only a handful of days remain for those communications and adjustments to occur.

For two-and-a-half years the NARUC Intercarrier Compensation Task Force facilitated constructive engagement among the largest and most broadly representative intermodal group of stakeholders ever regularly convened. The most significant lesson distilled from that experience is the importance and value of the time parties take to listen to one another, understand one another's concerns, and consider adjustments to their own positions. NARUC Commissioners maintained a dialogue with many

stakeholders after the active work of the Task Force ended.

In the past few weeks, those discussions have made clear that key advocates for at least some, and perhaps many, of parties engaging the FCC have not even read the filings of others, much less understand the extent to which their own filings are comprehended by others. There is a real risk that any single participant or group seeking to impose its own plan will, even if successful, achieve a pyrrhic and short-lived victory, likely followed by protracted litigation, primarily because they failed to recognize a relatively small but critically important number of issues that are absolute deal-breakers for others.

The hour is late. We continue to urge stakeholders to engage in constructive and intensive discussions, rather than continuing to talk past one another. A chance remains to achieve truly meaningful reform which achieves most goals of most parties. But it will require open minds, open discussion and a willingness to make strategic compromises which can only be reached through face-to-face discussions.

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*NARUC is a non-profit organization founded in 1889 whose members include the governmental agencies that are engaged in the regulation of utilities and carriers in the fifty States, the District of Columbia, Puerto Rico and the Virgin Islands. NARUC's member agencies regulate telecommunications, energy, and water utilities. NARUC represents the interests of State public utility commissions before the three branches of the Federal government.*

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