

Fifty-seventh
Legislative Assembly
of North Dakota

**ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4008**

Introduced by

Senators Klein, Cook, Tomac

Representatives Berg, Wald

1 A concurrent resolution urging the Public Service Commission, Qwest Corporation, and the
2 Federal Communications Commission to proceed as quickly as possible with the process of
3 allowing Qwest Corporation to provide interstate telecommunications services.

4 **WHEREAS**, the Federal Telecommunications Act of 1996 was approved by Congress
5 to promote competition in all segments of the telecommunications market; and

6 **WHEREAS**, competition in the telecommunications industry is expected to increase the
7 advancement of new telecommunications technologies and systems in the state and to improve
8 services for customers; and

9 **WHEREAS**, Section 271 of the Federal Telecommunications Act of 1996 specifically
10 sets forth the tests for determining whether Qwest Corporation's local exchange markets are
11 open to competitors; and

12 **WHEREAS**, Section 271 promises to allow Qwest Corporation to provide interstate
13 services to customers in its local service areas once the tests for opened local markets are
14 satisfied; and

15 **WHEREAS**, Qwest Corporation is able to provide high-speed data services in any
16 country and in 36 states of the Union, but not from and to North Dakota; and

17 **WHEREAS**, Section 271 approval must be granted by the Federal Communications
18 Commission in consultation with the Public Service Commission;

19 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA,**
20 **THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

21 That the Public Service Commission move the Section 271 process forward as quickly
22 as possible; and

23 **BE IT FURTHER RESOLVED**, that Qwest Corporation take all possible action to meet
24 the requirements of Section 271 and submit an application for approval to the Federal
25 Communications Commission; and

1 **BE IT FURTHER RESOLVED**, that the Fifty-seventh Legislative Assembly urges the
2 Federal Communications Commission to move the Section 271 process forward as quickly as
3 possible; and

4 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
5 resolution to each member of the Public Service Commission, the chief executive officer of
6 Qwest Corporation, each member of the Federal Communications Commission, and to each
7 member of the North Dakota Congressional Delegation.