

NMAC

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Volume: Issue: Publication Date: Number of pages: (ALD Use Only) Sequence No.

Issuing agency name and address: Agency DFA code:

Contact person's name: Phone number: E-mail address:

Type of rule action: (ALD Use Only) Most Recent Filing Date:
New Amendment Repeal Repeal/Replace Renumber Emergency

Title number: Title name:

Chapter number: Chapter name:

Part number: Part name:

Amendment Description (If filing an Amendment): Amendment's NMAC Citation (If filing an Amendment):

Are there any materials incorporated by reference? Yes No Please list attachments or Internet sites if applicable.

If materials are attached, has copyright permission been received? Yes No Public domain

Concise Explanatory Statement for rulemaking adoption:

Notice date(s): Hearing date(s): Rule Adoption date: Rule Effective date:

Specific statutory or other authority authorizing rulemaking:

Findings required for rulemaking adoption. Please attach and sign additional page(s) if necessary.

Issuing authority (If delegated, authority letter must be on file with ALD):
Name: Check if authority has been delegated
Title:

Signature: (BLACK ink only) Date signed:



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Concise Explanatory Statement for rulemaking adoption:

Page number 2 of 2 for Findings required for rulemaking adoption.

This rulemaking was undertaken in response to the passage of Senate Bill 308 during the 2017 New Mexico Legislative session. Senate Bill 308 made extensive changes to NMSA 1978, Section 63-9H-6, of the New Mexico Rural Telecommunications Act (the "RTA") concerning the State Rural Universal Service Fund (the "SRUSF"). The major changes to this section of the RTA accomplished the following: (1) redefinition of "universal service"; (2) addition of a fixed amount, per-connection charge option for funding the SRUSF; (3) addition of a requirement that no less than sixty percent of support received by eligible telecommunications carriers be used to deploy and maintain broadband internet access; (4) reformulation of the methodology for calculating payments to access reduction support recipients; and (5) establishment of a broadband program. Pursuant to the rulemaking process, including consideration of written comments and a public hearing, the Commission has repealed and replaced 17.11.10 NMAC, the Commission's SRUSF Rule. The replacement rule includes provisions responsive to the changes to the RTA as well as to recent regulatory changes by the Federal Communications Commission.

Issuing authority (If delegated, authority letter must be on file with
ALD): Name:

LINDA LOVEJOY

Check if authority has been delegated

Title:

COMMISSIONER

Signature: (BLACK ink only)

Linda Lovejoy

Date signed:

12/13/17

The Public Regulation Commission approved, at its 12/07/2017 hearing, to repeal its rule 17.11.10 NMAC, State Rural Universal Service Fund (filed 12/16/2016) and replace it with 17.11.10 NMAC, State Rural Universal Service Fund, adopted on 12/7/2017 and effective 1/01/2018.

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