

State Regulators Issue Policy Considerations for Water, Energy, Telecom Sectors

WASHINGTON--The National Association of Regulatory Utility Commissioners passed several resolutions dealing with energy, telecommunications, and water policy issues.

In closing its Winter Committee Meetings in Washington, the NARUC Board of Directors today approved resolutions on several crucial issues, including: extending solar tax credits, securing appropriate funding levels for low-income heating and cooling assistance, ensuring equal access to technology, and, among others, reiterating support for a permanent solution for nuclear waste disposal.

With the Board's approval, the resolutions are official NARUC policy, and the Association's Washington office is responsible for advocating the policies before the federal government. The resolutions are first proposed and approved by NARUC's Committees before being sent to the Board.

Below is a summary of each resolution, organized by committee.

CONSUMER AFFAIRS

Resolution of NARUC to Support Equal Access to Communication Technology by People with Disabilities in the 21st Century

The resolution supports federal measures to ensure equal access by people with disabilities to emerging digital, broadband and other communication technologies and urges Congress to support the designation of broadband services as eligible to receive support under the Lifeline and Link-Up programs, so that individuals with disabilities who qualify under these programs are given the choice of directing their subsidies to either PSTN-based or broadband-based communication services. It also urges Congress to support a \$10 million annual set-aside of universal service funds to support the distribution of specialized customer premises equipment to eligible individuals who are deaf-blind.

Resolution Designating Dr. Martin Luther King, Day as a Day of Utility Service

The resolution designates Dr. Martin Luther King Day as a Day of Utility Service and encourages all Americans to engage in a utility act of service on Dr. King's holiday, e.g., turn down the thermostat, weatherize their homes, change their incandescent light bulbs to energy efficient bulbs and/or install water saving devices.

(Note: The Committees on Gas and Water approved this resolution as well)

Resolution on LIHEAP Funding

Resolution urging Congress to appropriate LIHEAP funding for Fiscal Year 2008 of no-less than \$5.1 Billion dollars, and to appropriate LIHEAP funding for Fiscal Year 2009 at its fully authorized level of \$5.1 Billion.

ELECTRICITY

Resolution Requesting an Extension of the Federal Investment Tax Credit for Solar Energy Systems

The resolution pledges NARUC to work aggressively with Congressional delegations to extend the federal investment tax credits for solar for a minimum of eight additional years; expand the credit for

photovoltaics to \$1,500 per ½ kilowatt; remove the \$2,000 cap on residential systems and other provisions designed to expand the use of solar energy in the U.S.

Resolution Regarding Guiding Principles for Disposal of High-Level Nuclear Waste

The resolution adopts a detailed list of principles to guide NARUC representation on the nuclear waste issue.

ENERGY RESOURCES AND THE ENVIRONMENT

Resolution Supporting the National Action Plan for Energy Efficiency VISION FOR 2025:

Developing a Framework for Change

The National Action Plan for Energy Efficiency Leadership Group identifies ten implementation goals necessary to meet the objective of achieving all cost effective energy efficiency in its Vision for 2025: Developing a Framework for Change. The resolution endorses the plan's principal objectives and recommendations.

Resolution to Encourage the Use of Combined Heat and Power, Including the Recycling of Waste Energy

The resolution recognizes that the United States is far behind other industrialized nations in relying upon "Combined Heat and Power" and waste energy recovery technologies, and encourages commissions to consider policies to (i) facilitate the deployment of CHP and waste energy recovery technologies by advancing market-based options for the sale of net excess power from such projects, (ii) address barriers to increased use of CHP related to standby rate design; interconnection rules; and traditional utility revenue recovery mechanisms; and (iii) where feasible, allow owners and operators of CHP and waste energy recovery facilities to be appropriately compensated for any benefits provided to electrical generation and transmission systems.

GAS

Resolution Encouraging the Use of Risk Assessment Approach to Provide Comprehensive Information on LNG Facility Safety

The resolution recommends the Pipeline and Hazardous Materials Safety Administration (i) initiate steps to evaluate and develop alternatives and risk based regulations as replacements for or supplement to its existing LNG facility siting regulations and (ii) perform, as a part its evaluation, such research and other activities as may be needed, including but not limited to, comparative analyses of alternative (including the Risk Based Alternative Standards approach approved by NFPA's LNG Standards (59A) Committee), public workshops, and other studies.

Resolution on Congressional Appropriations for Pipeline Safety

The resolution urges Congressional appropriations bodies to adjust the FY 2009 appropriations to DOT for State pipeline safety grants so that States are given the opportunity to recover at least 80% of the costs of the congressionally mandated expanded gas safety programs.

Resolution on Excavation Damage Prevention

Resolution urges State commissions to review their current excavation damage prevention programs and to consider the EDPI's "Guide to the Nine Elements" document in making revisions and improvements, where necessary, in order to incorporate fully the nine "Elements" of the PIPES Act of 2006.

TELECOMMUNICATIONS

Resolution on Forbearance Procedures

The Resolution commends the FCC for initiating a rulemaking to examine possible deficiencies in the procedures carriers use to waive existing statutory obligations, recognizes that it is essential for State commissions to have timely access to confidential data as they examine the potential effects of forbearance on a State's telecommunication industry, expresses support for bills to eliminate the

"deemed granted" provision in the statute, and urges the FCC to act on this NPRM before additional forbearance petitions are filed and to adopt formal procedures that ensure full participation by affected States.

Resolution Promoting Digital Literacy

The Resolution says NARUC will promote: (1) access to information and communications technology to all regardless of income or advantage; (2) the provision of ubiquitous broadband service in a competitive marketplace at affordable cost; and (3) opportunities for all to acquire ICT digital literacy skills to benefit academically, economically and socially, and (4) adoption of ICT digital literacy policies and public awareness of ICT Digital Literacy efforts.

WATER

Resolution Regarding the Creation of State Legislative 'Safe Harbors'

This resolution states that companies complying with federal and State safe drinking water standards should not be subject to lawsuits claiming injuries from drinking water. It encourages States to consider enacting legislation or adopting regulations which provide a "safe harbor" from liability for any water purveyor operating in the State that provides water in compliance with federal and State standards.

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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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