
HOUSE JOINT MEMORIAL 4014

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Lias, Billig, Roberts, and Pollet

Read first time 01/16/12. Referred to Committee on Technology, Energy & Communications.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE MEMBERS OF THE FEDERAL
5 COMMUNICATIONS COMMISSION:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, More than two trillion text messages are sent each year in
10 the United States, generating over twenty billion dollars in revenue
11 for the wireless industry; and

12 WHEREAS, It costs a wireless company less than a penny to send a
13 single text message, but most wireless companies charge between ten and
14 twenty cents per text message; and

15 WHEREAS, At twenty cents and approximately one hundred sixty
16 characters per text message, wireless customers are paying
17 approximately one thousand five hundred dollars to send a megabyte of
18 text traffic over the cellular network; and

19 WHEREAS, In comparison, the cost of sending the same amount of data

1 over a wireless company's data network using a twenty-five dollars a
2 month, two gigabyte data plan works out to be about 1.25 cents; and

3 WHEREAS, Despite the low cost of sending a text message, market
4 conditions have failed to protect customers from unreasonable rates, as
5 wireless companies have in many instances eliminated previously
6 offered, lower-tier text messaging plans, leaving the consumer little
7 recourse but to sign up for a higher cost text messaging plan or pay an
8 unreasonably high per text message fee; and

9 WHEREAS, States have been expressly preempted under federal law
10 from regulating the entry or rates charged by wireless companies,
11 including text messaging services; and

12 WHEREAS, To date the Federal Communications Commission has declined
13 to exert jurisdiction over text messaging services;

14 NOW, THEREFORE, Your Memorialists respectfully pray that the
15 Federal Communications Commission exercise its authority to regulate
16 the rates charged for text messaging services, or, in the alternative,
17 recognize that market conditions with respect to text messaging
18 services have failed to adequately protect Washington subscribers from
19 unjust and unreasonable rates and therefore authorize the state of
20 Washington and other states to regulate wireless companies with respect
21 to text messaging services.

22 BE IT RESOLVED, That copies of this Memorial be immediately
23 transmitted to the Honorable Barack Obama, President of the United
24 States, each member of the Federal Communications Commission, the
25 President of the United States Senate, the Speaker of the House of
26 Representatives, and each member of Congress from the State of
27 Washington.

--- END ---