

---

HOUSE JOINT MEMORIAL 4027

---

State of Washington

54th Legislature

1995 Regular Session

By Representative Casada

Read first time 02/21/95. Referred to Committee on Energy & Utilities.

1 TO THE HONORABLE BILL CLINTON, 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:

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

8 WHEREAS, Historically, regulation of communications services has  
9 been based on distinct technologies and purposes, with telephone  
10 companies serving as common carriers of two-way audio communications  
11 and the cable industry providing one-way audio and video  
12 communications; and

13 WHEREAS, The telephone industry currently is regulated primarily by  
14 states, while the cable industry currently is regulated primarily under  
15 federal law by the Federal Communications Commission with additional  
16 regulation by local franchising authorities; and

17 WHEREAS, With the convergence of technologies, it is now possible  
18 for telephone companies to provide video services, and for cable  
19 television systems to provide two-way communications services; and

20 WHEREAS, Federal courts have held a federal statute precluding  
21 telephone companies from distributing cable television services within

1 the companies' service territories violates the first amendment to the  
2 United States Constitution; and

3 WHEREAS, Without a change in federal jurisdiction, telephone  
4 companies that provide video services will be subject to regulation at  
5 the federal, as well as state and local, level; and

6 WHEREAS, Without a change in federal jurisdiction, cable television  
7 systems that provide two-way communications services will be subject to  
8 regulation at the state, as well as federal and local, level; and

9 WHEREAS, Federal and Washington State policies are to encourage  
10 competition in the telecommunications services market; and

11 WHEREAS, A state is best situated to assess and respond to the  
12 status of competition in the telecommunications services market within  
13 the state's borders;

14 NOW, THEREFORE, Your Memorialists respectfully request that the  
15 Congress of the United States enact legislation transferring  
16 jurisdiction to regulate one-way audio and video communications  
17 services to the states.

18 BE IT RESOLVED, That copies of this Memorial be immediately  
19 transmitted to the Honorable Bill Clinton, President of the United  
20 States, the President of the United States Senate, the Speaker of the  
21 House of Representatives, and each member of Congress from the State of  
22 Washington.

--- END ---