

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

AUG 15 1997

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In the Matters of )  
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Changes to the Board of Directors of the )  
National Exchange Carrier Association, Inc. )  
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Federal-State Joint Board on Universal Service )  
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CC Docket No. 97-21

CC Docket No. 96-45

NOMINATION OF THE  
NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS  
FOR MEMBERSHIP ON THE BOARD OF DIRECTORS FOR THE UNIVERSAL  
SERVICE ADMINISTRATIVE COMPANY

CHARLES D. GRAY  
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August 15, 1997

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**NOMINATION OF THE  
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FOR MEMBERSHIP ON THE BOARD OF DIRECTORS FOR THE UNIVERSAL  
SERVICE ADMINISTRATIVE COMPANY**

Pursuant to the Federal Communications Commission's ("FCC" or "Commission") August 1, 1997 Public Notice DA 97-1561, the National Association of Regulatory Utility Commissioners ("NARUC") respectfully submits this nomination for membership on the Universal Service Administrative Company's ("USAC") 17 member Board of Directors.

In support of this request, NARUC states as follows:

**I. Description of NARUC's Interests and Representational Role**

**NARUC has long been recognized by Congress, the Courts, and the FCC as the proper party to represent the collective interests of the State regulatory commissions.**

Both the FCC's August 8, 1997 notice and the underlying "Report and Order and Second Order on Reconsideration" (FCC 97-87-253 (Rel. July 18, 1997) expressly contemplate the appointment of "one director to represent state telecommunications regulators." The Notice states that "members of ...non-industry groups are encouraged to nominate for each Board seat, a candidate who possesses substantial experience in, and knowledge of telecommunications." NARUC is the appropriate body to nominate the director to represent state regulators.

Founded in 1889, NARUC's members include those governmental bodies responsible for regulating carriers and utilities in all fifty States, the District of Columbia, Puerto Rico, and the Virgin Islands. NARUC's mission is to improve the quality and effectiveness of public utility regulation in America. Specifically, NARUC is composed of, inter alia, State and territorial officials charged with regulating telecommunications common carriers within their respective borders. These officials have the obligation to assure that communications services and facilities required by the public convenience and necessity are established, and that service is furnished at just and reasonable rates.

NARUC's responsibilities are nationwide and involve a broad spectrum of regulatory problems and responsibilities unique to it as an organization. In statutory language of the Congress, NARUC is "the national organization of the State commissions" responsible for economic and safety regulation of the intrastate operation of carriers and utilities. Indeed, NARUC is the organization designated by Congress to nominate State Commission representatives to all the FCC Federal State Joint Boards and Conferences, including the Board charged with implementing the provisions of the 1996 Act governing the USAC Board of Directors activities. Moreover, Federal courts have long recognized that the NARUC is a proper party to represent the collective interests of the State regulatory commissions. *See*, for example, *United States of America v. Southern Motor Carrier Rate Conference, et al.*, 467 F.Supp. 471 (N.D. Ga. 1979), *aff.* 672 F.2d 469 (5th Cir. Unit "B" 1982); *aff. en banc*, 702 F.2d 532 (5th Cir. Unit "B" 1983, *rev'd*, 471 U.S. 48 (1985)). *See also Indianapolis Power and Light Co. v. Interstate Commerce Commission*, 587 F.2d 1098 (7th Cir. 1982); *Washington Utilities and Transportation Commission v. FCC*, 513 F.2d 1142 (9th Cir. 1976).

**II. NARUC Nomination For USAC Board Membership**

**A. NARUC's Nomination**

In accordance with Section 25 of NARUC's "Policy Governing Committees and Representatives" [As Adopted by the 97th NARUC Annual Convention on November 20, 1985 (Convention Proceedings, pages 365-367) and amended November 14, 1990, and November 20, 1996], NARUC's current President, the Honorable Bruce B. Ellsworth, a Commissioner with the New Hampshire Public Utilities Commission, nominates the following as NARUC representative to the USAC Board of Directors:

**The Honorable Allan T. Thoms**, the Chair of the Iowa Utilities Board and an active member of NARUC's Communications Committee.

**B. Contact Information:**

The contact information for Mr. Thoms is as follows:

Chairman Allan T. Thoms  
Iowa Utilities Board  
Lucas State Office Building  
Des Moines, Iowa 50319

Commission Telephone: 515.281.5979

Direct Line Phone: 515.281.5167

Fax: 515.281.8821

Internet Address: athoms@max.state.ia.us

**C. Biographical Information:**

Since his appointment in April of 1995, Mr. Thoms has been the Chairman of the Iowa Utilities Board. Under his Chairmanship, in addition to dealing with the traditional State telephony regulation issues, the Iowa commission has been very active before the FCC.

Commissioner Thoms also continues to be an active and contributing member of both the NARUC Communications Committee and the NARUC Executive Committee.

Mr. Thoms, a native of Berlin, Wisconsin, graduated from the University of Iowa College of Law. Before coming to the Utilities Board, he was employed in a wide range of positions with significant responsibilities, including employment at the Davenport Bank & Trust Company, first, as an Assistant Trust Officer, from 1965-68, and later as a Vice President, from 1968-79. In 1974, he was elected the Mayor of Dubuque, Iowa and served as a Dubuque City Councilman from 1972-75. From 1979-82, Mr. Thoms was President of Rowley Interstate Transportation Company. While President of Rowley, he also served as President of the Dubuque Area Chamber of Commerce from 1980-81. Starting in 1982, he became the Senior Vice President of Dubuque Packing Company, and from 1989 to 1990 served as the Chief of Staff to Governor Terry Branstad. In 1990, Mr. Thoms became the Director of the Iowa Department of Economic Development and the Acting Executive Director of Wallace Technology Transfer Foundation. In 1994, he left both these positions to become the Vice President for Advancement for University of Dubuque, a position he held until taking on the chair of the Iowa Utilities Board in April of 1995.

A fax copy of Chairman Thom's professional biography is attached as Appendix A.

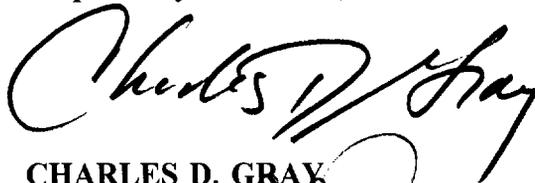
**D. Required Service:**

Both the Notice and the NECA Governance order [footnote 121] require nominations to be filed with "both the Secretary and the Chairman of the Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554."

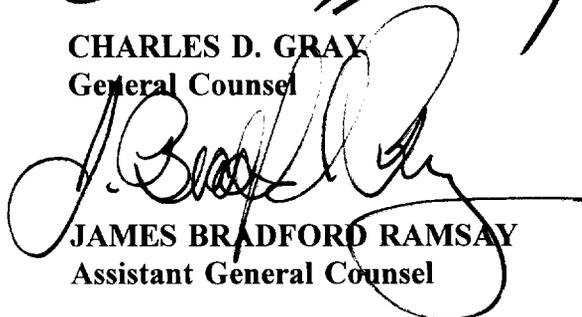
The under-signed hereby certify

- (1) that service by hand-delivery to the offices of both the FCC Secretary and Chairman will be completed this 15th Day of August 1997 before 5:30 p.m. eastern standard time; and
  
- (2) that Commissioner Thoms has agreed to actively participate in good faith as a member of this USAC Board of Directors.

Respectfully submitted,



**CHARLES D. GRAY**  
General Counsel



**JAMES BRADFORD RAMSAY**  
Assistant General Counsel

**National Association of  
Regulatory Utility Commissioners**

**1100 Pennsylvania Avenue  
Post Office Box 684  
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**(202) 898-2200**

**August 1, 1997**

## APPENDIX A

### ALLAN T. THOMS

Allan T. Thoms has served as Chairman of the Iowa Utilities Board since his appointment in April 1995 for a term extending to 2001. He is a member of the Committee on Communications and the Executive Committee of the National Association of Regulatory Utility Commissioners. He is Chairman of the U S WEST Regional Oversight Committee which oversees U S WEST's operations in its 14-state service area.

At the time of his appointment, Thoms announced his resignation from the University of Dubuque where he held the position of Vice President for Advancement.

Thoms is no stranger to state government. He was Director of the Iowa Department of Economic Development from 1990 to 1994 and again from 1986 to 1989. He also served as Chief of Staff to Iowa Governor Terry E. Branstad (1989-1990).

Past professional experience includes: Senior Vice President, Treasurer, and Chief Administrative Officer of Dubuque Packing Company (1982-1986); President, Rowley Interstate Transportation Company (1979-1982); Vice President and Trust Officer and Commercial Lending Officer, Dubuque Bank and Trust Company (1968-1979); and Assistant Trust Officer, Davenport Bank and Trust Company (1965-1968).

Mr. Thoms is a graduate of the University of Iowa College of Law and the Wisconsin School of Banking.

**ALLAN T. THONS**

**EMPLOYMENT HISTORY:**

May 1994 to  
March 1995 Vice President for Advancement,  
University of Dubuque

1990 - 1994 Director of Iowa Department of Economic  
Development and Acting Executive Director, Wallace  
Technology Transfer Foundation

1989 - 1990 Chief of Staff, Office of Governor Terry E.  
Branstad, Des Moines, Iowa

1986 - 1989 Director, Iowa Department of Economic Development,  
Des Moines, Iowa

1982 - 1986 Senior Vice President, Treasure and Chief  
Administrative Officer, Dubuque Packing Company,  
Dubuque, Iowa

1979 - 1982 President, Rowley Interstate Transportation Co.,  
Inc., Dubuque, Iowa

1968 - 1979 Vice President and Trust Officer and Commercial  
Lending Officer, Dubuque Bank and Trust Co.,  
Dubuque, Iowa

1965 - 1968 Assistant Trust Officer, Davenport Bank and Trust  
Co., Davenport, Iowa

**RELATED EXPERIENCE:**

Vice Chairman, Board of Trustees, Clarke College, Dubuque, Iowa  
Vice Chairman, Iowa Department of Water, Air and Waste Management  
Commission  
City of Dubuque, Airport Commission  
Dubuque City Councilman, 1972 - 1975  
Mayor, City of Dubuque, 1974  
Commissioner, Iowa Department of Transportation, 1974-1979  
President, Dubuque Area Chamber of Commerce, 1980 - 1981

**EDUCATION:**

Graduate of the University of Iowa/College of Law, 1965  
Graduate of the Wisconsin School of Banking, 1979