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A Chat With New PUC Commissioner

David Boyd joined the State of Minnesota's Public Utilities Commission as a commissioner last July. Replacing Ken Nickolai, Boyd will serve the two years that remain in Nickolai's six-year term. Boyd, who earned a doctorate in chemistry from the University of Minnesota, taught the subject at the University of St. Thomas for 18 years before taking a leave of absence to join the PUC. He chaired St. Thomas' chemistry department for the last six years.

The Telecommunications Guide interviewed Commissioner Boyd recently. Here are the highlights from that interview.

Q: *How will your previous career help you in your new role as a PUC commissioner?*

Boyd: I certainly don't have the typical background for a regulator. I've never been a legislator or in industry and I'm

not a lawyer. But my academic career gives me extensive experience digesting a lot of material from different sources and analyzing arguments. I think the leadership role I had at St. Thomas should also help me.

I have a steep learning curve, but I think I bring some skills to the position that others may not have. My technical background should help on some issues, for example. I think the biggest advantage my background provides, though, is my ability to look at the big picture and focus on the future and not relive the battles of the past.

Q: *What specific personal goals do you have with regard to this position?*

Boyd: The PUC offered me a new personal challenge and I think you only better yourself by taking on new challenges. This position allows me to do a new kind of service. I've always wanted to serve others and this is just a different way to do that. It's just more public than what I did before and can impact more people.

As far as the industries the PUC regulates, my goal is to help the PUC be as informed about technology as it can be because there's a technical side to many of the decisions we make.



Q: *What is your view of how regulation should be applied?*

Boyd: The PUC needs to implement the rules and statutes that govern it in a consistent manner. We need to apply rules in a way that balances the often-confusing needs of service providers and consumers. We can't worry about making everyone happy and we shouldn't expect to do that.

But by following the laws and our ethical compass, I hope we render sound decisions that do right by citizens and the parties

before us. We want to be fair, consistent and true to the letter of the laws and rules that govern the commission. As a non-lawyer, I'm grateful for the input of those with a legal background at the PUC because our state's laws, which were written in different eras when technology was different, can sometimes seem to be in conflict.

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Commissioner Boyd

Q: *What was your perception of the telecom industry before you became a commissioner?*

Boyd: I was a consumer, unfamiliar with the industry's complexities and the regulatory structure. I knew the industry was competitive with many changes under way. In fact, the advances it's seen in a short time have been staggering. As a consumer, I wanted things to work. So much of what goes on to make that happen — how many companies might be involved in a call, for example, or what the fees are — is invisible to most people and I was one. At the PUC, I'm starting from square one and trying to catch up. I'm taking a crash course in telecom issues and I ask questions of knowledgeable people

whenever I can. The jargon is like a foreign language but I can't be upset about it because there's a lot of jargon in my field, too.

Q: *How has your perception changed since you started your new job?*

Boyd: It's been an eye-opening experience. The industry is fiercely competitive and the economics are very interesting. The regulatory structure is also complicated with various state and federal jurisdictions making it difficult. The statutes spell out fairly clearly what's involved but, practically speaking, it's very difficult to decide issues.

I think the industry is changing so quickly that legislators and regulators are lagging behind. I sympathize with service providers because we're regulating based on how they used to do business when they're now using new technology or old technology differently. The lines are blurring between phones and information. We're applying rules designed for rotary phones to an industry sending phone calls over the Internet and using digital TV and other technologies. Service providers are running while, in some ways, we're jogging. It would be nice if we could be more nimble but the process of drafting and enforcing laws will probably never keep pace with changes in the industry.

Q: *Is any telecom issue of particular importance to you?*

Boyd: I'm focused on understanding how recent federal telecom acts affect us, including how the FCC reinterprets rules. Where our jurisdiction starts and stops is a major issue for me, defining where the edges of the box are, so to speak. I think the proportion of regulating done at the state level will decline as time passes, but ask me about that or, in fact, any question in a year and I'm not sure my answer will be the same.

The telecom and information industries are changing, growing, coming together and they're doing it quickly. If someone likes to put their feet up and let the grass grow under them, the competition will leave them in the dust.

Both the energy and telecom industries are in transitional periods, which is why it's important we make sound decisions for the public. Hopefully, what we do here is help, not hamper, the industries we regulate while keeping a sharp eye out for the public interest.

Minnesota Telecom Alliance is a not-for-profit professional association representing more than 90 small, medium and large telecommunication companies providing voice, data, wireless, and high-speed broadband services to Minnesota's metropolitan and rural communities. More information about MTA can be found on the Internet at www.mnta.org