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**Memorandum of Opposition (S.7263-A.2208)**  
**Telephone Company Mergers and Acquisitions**

The Long Island Association opposes S.7263/A.2208 (Foley-Brodsky) on the grounds that it is anti-competitive and not in the best interests of consumers.

The proposed legislation would mandate that the Public Service Commission (PSC) require ratepayer givebacks of 40 percent only when telephone corporations are involved in a merger or acquisition. It would not require comparable givebacks when any other regulated utility is involved in similar mergers and acquisitions. Most importantly, it would have an effect on unregulated companies with which some telephone corporations with which some telephones currently compete.

The last point is critical. Certain telephone corporations in new York State, notably Verizon, are engaged in competition with VoIP providers and cable television providers. That competition ultimately is in the best interests of consumers. While a giveback produced by a telephone company merger or acquisition might provide short-term benefits for some consumers, legitimate competition between equally situated telephone companies, VoIP providers and cable television providers, promises to provide consumers long-term significant benefits.

It is for this reason the Long Island Association opposes this legislation and urges that it not pass either the Senate or Assembly.

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