

RULES OF PROCEDURE
Navajo Nation Telecommunications Regulatory Commission
(“Commission”)

Rule 1 – Purpose

These rules govern the conduct of Navajo Nation Telecommunications Regulatory Commission (“Commission”) meetings and business matters, promote order and provide for efficiency.

Rule 2 – The Chairperson

The Chairperson of the Commission shall preside over meetings and be responsible for conducting the meetings according to the agenda. In the case of absence of the Chairperson, the Vice-Chairperson, or the Second Vice-Chairperson, shall assume the responsibilities of the Chairperson.

Rule 3 – Meetings of the Commission

- A. Regular Meetings. The Commission shall meet in Window Rock the second Thursday of each month, except as otherwise scheduled by the Commission with at least seven days’ notice provided in advance to the public.
- B. Special Meetings. Special meetings, public or non-public, may be scheduled by the Chairperson, or Vice-Chairperson as applicable.
- C. Administrative meetings. Administrative meetings of the Commission may be scheduled by the Chairperson as necessary, and shall be non-public. An annual strategic meeting shall be scheduled by the Chairperson adequately in advance of the end of the fiscal year to provide for planning and budgeting.
- D. Hearings. Hearings shall be governed by the Hearings Procedures adopted by the Commission.
- E. Notice. The Office of the Commission, at the direction of the Chairperson or Vice-Chairperson, shall provide each Commissioner notice of meetings not later than ten (10) calendar days immediately preceding the meeting excluding the day of the meeting, via electronic mail.
- F. Quorum. Four of the seven members of the Commission shall constitute a quorum for the purpose of taking any official action of the Commission.
- G. Parliamentary Procedure. The Commission shall follow generally accepted rules of parliamentary procedure in taking official action, including motion, second, and voting. In any matter up for a vote, a Commissioner shall disclose a potential conflict of interest pursuant to the Ethics in Government Law, and shall recuse him/herself from such vote.

Rule 4 – Notice

- A. The time and place of public meetings, and agenda, shall be posted on the Commission website by electronic bulletin at <http://nntrc.org> at least seven (7) calendar days before the date of the meeting, excluding the date of the meeting.
- B. Telecommunications providers/operators who have filed an Operator Vital Information Form and/or obtained a Certificate of Convenience and Necessity (“CCN”) from the Commission shall receive notice through official service of process for all rulemakings affecting such providers/operators at least thirty (30) days in advance of any hearing or inquiry on such rulemaking. In accordance with 21 N.N.C. § 515, the Commission shall

take no action on any proposed rules or regulations for at least forty-five (45) days from the date of such notice or service of process.

Rule 5 – Agenda

- A. The Chairperson and the NNTRC Office shall finalize the agenda and all docketed items, and shall provide such agenda ten (10) calendar days in advance to the Commission via electronic mail.
- B. Commissioners may submit proposed items for docketing to the Chairperson and NNTRC Office via electronic mail, and which must be submitted at least fifteen (15) days in advance of the next meeting for inclusion on such agenda, at the discretion of the Chairperson and the NNTRC Office.

Rule 6 – Order of Business

The Order of Business shall be as follows:

- 1. Chairperson calls meeting to order, recognizing Commissioners present and any quorum;
- 2. Tso'diizin;
- 3. Chairperson calls for any objection to agenda, accepts agenda, and reads docketed items;
- 4. Commission proceeds with docketed items;
- 5. Announcements; and
- 6. Adjournment.

Rule 7- Orders and Decisions

The Commission shall adopt rules and regulations pursuant to 21 N.N.C. § 515 by Order or Decision of the Commission.

Rule 8 – Resolutions

Resolutions may be utilized by the Commission for certain types of Commission action not requiring an Order or Decision.

Rule 9 – Executive Session

The Commission may go into executive session upon the advice of counsel or where otherwise required in order to protect confidential or proprietary information.

Rule 10 – Meeting Minutes

- A. The draft minutes of each meeting shall be provided to the Commissioners via electronic mail for comments and/or questions.
- B. The minutes may be adopted by approval of a quorum of the Commission via electronic mail.
- C. Final minutes shall be posted on the NNTRC website.

Rule 11 – Dockets

- A. The NNTRC Office shall assign docket numbers to all matters for consideration by the Commission.
- B. Until such time as the Commission adopts rules and regulations for the format of formal pleadings and documents, all pleadings and documents submitted to the Commission shall conform substantially to the format used by the United States Federal Communications Commission.

Rule 12 – Public Records

- A. In accordance with the Navajo Nation Privacy Act, 2 N.N.C. §§ 81 *et seq.*, the Commission is committed to the policy that information related to government operations be accessible to the public, while recognizing that individuals have a right to privacy. It is the intent of the Commission that the general public be provided a means to access records and information relating to the operation of the Commission and the NNTRC Office while preserving the privacy interests of individuals and entities. Public documents shall be available from the NNTRC Office in accordance with the requirements of the Privacy Act.
- B. To the extent feasible, the NNTRC Office shall post public documents and information to the NNTRC website.

Rule 13 – Confidential and/or Proprietary Information

- A. Upon Motion by a party, the Commission shall issue protective orders as necessary to ensure that any confidential and/or proprietary information submitted by such party is kept secure and confidential.
- B. The Commission and the NNTRC Office shall keep all protected records, as defined at 2 N.N.C. § 85, confidential in accordance with the Navajo Nation Privacy Act, 2 N.N.C. §§ 81 *et seq.*
- C. No confidential and/or proprietary information shall be accepted for submittal in an electronic format, nor stored in such format by the Commission or NNTRC Office, until such time as the NNTRC Office can ensure confidentiality of such electronic data in accordance with Best Practices for electronic storage and access to such information.
- D. Any confidential and/or proprietary information which the Commission deems to be obsolete shall be destroyed, subject to the requirements of the Navajo Nation Privacy Act, 2 N.N.C. §§ 81 *et seq.*

Rule 14 – Ethics

- A. Commissioners shall conduct themselves in accordance with the highest level of ethical standards expected of Naat'aani and the Ethics in Government Law.
- B. A Commissioner who violates such standards shall be subject to censure by the Commission and recommendation to the President and the Nabiki'yati' Committee of the Navajo Nation Council for removal.