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Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, SW

Washington, DC 20554

Re: *Restoring Internet Freedom*, WC Docket No. 17-108.

Dear Ms. Dortch:

I hereby submit this petition to ask the Federal Communications Commission (FCC) to reverse their December 14, 2017 vote to destroy “Net Neutrality”. The FCC must restore the 2015 “Open Internet Order” that employed Net Neutrality principles by prohibiting Internet service providers (ISPs) from “blocking” lawful content, “throttling” (slowing down or degrading access) and giving “paid prioritization” (agreements to favor the delivery of content for a fee to an edge provider, i.e. Netflix or to benefit an affiliated entity i.e. Comcast to NBC). Net Neutrality protects our citizens from (i) unreasonable higher prices, (ii) improper blocking of websites and (iii) slower Internet traffic. Net Neutrality “ensure[s] equal access and nondiscriminatory treatment.” Angele A. gilroy, cong. research serv., r40616, the net neutrality debate: access to broadband networks (2017). The Internet belongs to everyone. We, as citizens of a free democracy are entitled to a free and open Internet.

On February 26, 2015, the FCC, based on Title II of the Communications Act and Section 706 of the Telecommunications Act of 1996, passed the “Open Internet Order” which employed Net Neutrality principles and reclassified broadband providers, ISPs as common carriers. Id. The rules were released on March 12, 2015 and became effective on June 12, 2015. Id. Several telecommunication, cable and wireless industry associations along with AT&T tried to repeal the 2015 rules, but they were upheld by the U.S. Court of Appeals for the District of Columbia Circuit on June 14, 2016. United States Telecom Ass'n v. Fed. Commc'ns Comm'n, 855 F.3d 381 (D.C. Cir. 2017).

The December 14th so-called “Restoring Internet Freedom Order” reversed the Open Internet Order. Thus, contrary to the deceiving title, the December 14th Order stripped Americans of the protection provided by the Open Internet Order. The 2017 Order reversed the 2015 classification of Internet Service Providers (ISPs), such as Comcast and AT&T, undoing their status - as “telecommunications services subject to common carrier Title II classification.” angele a. gilroy, cong. research serv., r40616, the net neutrality debate: access to broadband networks (2017). The 2017 order also shifted a significant amount of the Internet oversight from the FCC to the Federal Trade Commission (FTC). Most importantly, the 2017 Order removed the core Net Neutrality principles that prevents blocking, throttling, and paid prioritization. Id.

The Internet has become a necessity in our free and democratic society. As such, ISPs should be regulated in a manner that must protect all people – not just selective groups of people. If not, ISPs will be unfettered to disproportionality provide services to citizens. Quite simply, ISPs should be labeled as telecommunications services.

In 2015, the FCC recognizing the need to protect the American people and the sanctity of the Internet, classified ISPs as telecommunications services in order to implement the “no blocking and no unreasonable discrimination rules”. Id. Telecommunication providers are subject to Title II and may not employ “unjust or unreasonable practices” in the providing of their services.” kathleen ann ruane, cong. research serv., r43971, net neutrality:selected legal issues raised by the fcc’s 2015 open internet order (2016). These same restrictions do not apply to an information service. Thus, ISPs e.g. AT&T and Comcast must be classified as telecommunications in order to ensure that they do not engage in these unfair business practices.

It is clear and obvious from the history of the FCC and the FTC that the FCC is the logical (and better) regulatory agency to oversee and regulate major communications in our Country. The FCC was formed in 1934 by Congress and has, over the life of the agency engaged in oversight of the very industries at issue. The FCC has the expertise, not the FTC.

Net Neutrality strengthens democracy, education, innovation, commerce and communication. Without it, the potential effects are numerous and catastrophic. I, like many others have been a victim in the past to throttling – slowing down of my Internet service at the expense of someone else. This throttling essentially required that I upgrade to a higher and faster package from my ISP. A young poor school kid should not have unequal access to the Internet because his parents cannot afford a higher tiered package from Comcast, Verizon or AT&T. Fair access to the Internet provides an essential tool for our children to be properly educated. You have a duty to protect our children and the power to do so.

Comcast is the only one of the identified companies that is on record stating that it will adhere to the principles of Net Neutrality even though Net Neutrality will not be on the books. While this may be a noble view and position in the current climate, there are no guarantees that Comcast will maintain this position over time. In a lightly regulated environment, they are free to change their position at any time, with or without notice to consumers.

Our Constitution starts with the words “We the people...” Those three words have great meaning to define the United States of America and what we stand for. Net Neutrality benefits the people at large and not just a few – the Internet service providers and those individuals with the greatest resources. As a democracy, whether we are citizens, elected officials, or “appointed officials”, we must make decisions that are in the best interest of the people. Net Neutrality protects the people. Please, restore the Net Neutrality rules.