Reply of Curtis J. Neeley Jr. to *Interim* Chairman Pai and Commissioner O'Rielly's wholly fraudulent "**NOTICE OF PROPOSED RULEMAKING**" released May 23, 2017.

*Neeley Jr. v 5 Federal Communications Commissioners, et al.* (5:14-cv-05135)(14-3447) was dismissed due to persistent judicial addictions to free online pornography broadcasting to the unknown per the wholly **VIOD** *Reno v ACLU*, 521 US 844. The demand for *online* to be recognized as a common carrier for communications was substantively met by the Commission obviating further pursuit of *5 Federal Communications Commissioners, et al.* after seven years and millions of legal dollars because GOOG and MSFT also substantively met the demands made.

The most fraudulent paragraphs are quoted and then repeated herein with correction(s) where factually untrue statement(s) are fixed.

> *4. The Commission's Title II Order has put at risk online investment and innovation, threatening the very open Internet it purported to preserve. Investment in broadband networks declined. Internet service providers have pulled back on plans to deploy new and upgraded infrastructure and services to consumers. This is particularly true of the smallest Internet service providers that serve consumers in rural, low -income, and other underserved communities. Many good-paying jobs were lost as the result of these pull backs. And the order has weakened Americans' online privacy by stripping the Federal Trade Commission —the nation's premier consumer protection agency— of its jurisdiction over ISPs' privacy and data security practices.*— From pg 2 ¶4 of NOTICE OF PROPOSED RULEMAKING

The Commission's Title II Order did not put at risk online investment and innovation, nor has it threatened the open Internet it almost preserved. Investment in broadband networks have not declined though Internet service providers may have delayed plans to deploy new and upgraded infrastructure and services to consumers until the FCC became more completely under ISP control.

This is particularly true of the almost extinct small Internet service providers serving consumers in rural, low-income, and other under[-]served communities. No jobs were lost as is still claimed to be the result of imaginary "*pull-backs*", which were alleged in order to manipulate *Interim* Chairman Pai *et. al*.

The order momentarily weakened Americans' online privacy by stripping the Federal Trade Commission of exclusive jurisdiction over ISPs' common carrier privacy and data security practices before Congress and Trump became confused and wholly manipulated by the ISP oligopoly implant(s) of *Interim* Chairman Pai *et. al*. at the FCC and disallowed the FCC's ISP privacy rules via the CRA. This invalidation used improper procedure and did not follow the requirements of even the CRA used.

The "NOTICE OF PROPOSED RULEMAKING" could only have been written and/or endorsed by an immoral group of people, including *Interim* Chairman Pai, with a common immoral desire to continue allowing the illegal hazardous nuisance of free "online" pornography broadcasting caused by the **void** *Reno v ACLU,* 521 US 844 mistake. These immoral people refuse to address the harm(s) and hundreds of billions of dollars in damages caused by illegal 'porn' broadcasting by organized criminals to the wholly anonymous without prosecution for about twenty years despite violated U.S. law(s).

The "*light-touch*" deregulation of wires was unconstitutional misfeasance for about twenty years and was counter to the rule of law and the Communications Act of 1934. The "*light-touch*" mistake lowered U.S. morality and caused the judicial branch of U.S. government to became dedicated to allowing illegal pornography broadcasting to the unauthenticated in the guise of wholly free-speech on an *imaginary* [holy] new medium, which has never existed. Most judges mistakenly believe illegal pornography broadcasting must be allowed today as free-speech due to addictions to free pornography being broadcast to unauthenticated children and judges allowing GOOG to be the wealthiest free porn broadcasting cartel.

# The "Information Services" HOAX

*Interim* Chairman Pai wishes to resume calling the (enter-net) provision of "information services" in order to avoid applying Title II of the Communications Act treatment of telecommunications.

In 1996; while the U.S. President was an immoral adulterer, Congress immorally invented "information services" to allow wire/radio broadcasting of free pornography.

In 1998; five porn addicted Senators —John Ashcroft, Wendell Ford, John F. Kerry, Spencer Abraham, and Ron Wyden—wrote the Commission:

> "[n]othing in the 1996 Act or its legislative history suggests that Congress intended to alter the current classification of Internet and other information services or to expand traditional telephone regulation to new and advanced services." | - "NOTICE OF PROPOSED RULEMAKING" p4 ¶9 calls the prior letter from 5 porn-addicted members of Congress a Congressional Action though this was utterly false.

In the 2002 the *Cable Modem Order* called the (enternet) "*information services*" based on the "functions that cable modem service makes available to its end users," on the fact that the "telecommunications component is not, however, separable from the data-processing capabilities" despite the obvious separation of telecommunications services and data-processing in the dial-up era.

In June 2005, the Supreme Court, allowed the *2002 Cable Modem Order* to call the unique, mysterious, wholly new medium an "information service" rather than recognizing *Reno v ACLU*, 1997 to be wholly **VOID**, which this Article III mistake had been wholly for over five years after wi-fi was patented.

In 2014 the 2010 *Open Internet Order* of the FCC was partially vacated by the Second Circuit Court of Appeals due to treating ISPs as common carriers without using Title II.

*Neeley Jr v. 5 Federal Communications Commissioners, et al.,* (5:14-cv-05135)(14-3447) demanded "*online*" be recognized as the Title II Common carrier of telecommunications "*online*" had always been after over six years in United States Court and many hundreds of thousands in legal fees alone.

*Neeley Jr v. 5 Federal Communications Commissioners, et al.,* (5:14-cv-05135)(14-3447) was filed in United States Courts but calls these U.S. Courts dishonorable and calls the prior decisions to dismiss nothing but the dishonorable FIATS these will always be.

The declarations of the February 26, 2015 *Open Internet Order* were significant mitigation and were the first good-step required for allowing the clear rule of law(s), which had been ignored for almost two decades. The February 26, 2015 *Open Internet Order* and the alterations done by GOOG and MSFT searches were accepted as adequate results from over six years of litigation and therefore no Supreme Court petition needed to be done.

The proposal to call "*online*" an "information service" again will immediately give Plaintiff Curtis J. Neeley Jr. standing for an immediate SCOTUS Petition for Certiorari and this time the Petition will not need to be done *pro se*.

Respectfully Submitted

Curtis J. Neeley Jr