



August 28, 2017

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

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

Dear Ms. Dortch:

On behalf of USTelecom and NCTA – the Internet & Television Association, we write to submit into the record of the above-referenced proceeding the attached report summarizing the results of a recent survey of consumer perceptions of broadband Internet access services (“BIAS”).¹ This survey, conducted by Market Strategies International (“MSI”), obtained feedback from more than 1,200 customers of a wide range of fixed and mobile broadband providers regarding the various features and functionalities customers expect and value when they subscribe to BIAS.² The survey confirms that, from the perspective of end users, BIAS offers various information-processing and other capabilities via telecommunications, and thus is an “information service” as that term is defined in the Communications Act.³

Contrary to arguments by proponents of Title II regulation that BIAS merely constitutes an offering of “telecommunications,” the MSI survey confirms that consumers expect BIAS to offer the capabilities to “*acquire* information” from internet websites; “*generate*,” “*make available*,” and “*store* information” on the internet; “*retrieve* information” from the internet; and otherwise “*process*,” “*transform*,” and “*utilize*” such information.⁴ Consumers, of course, expect their BIAS provider(s) to offer such capabilities over fast and reliable Internet connections, but,

¹ Market Strategies International, *Broadband Internet Service Use* (Aug. 28, 2017) (“MSI Survey Report”) (Attachment A).

² Also attached is a declaration by Praveen Chalise of MSI, which describes the process MSI utilized in conducting this survey (Attachment B).

³ 47 U.S.C. § 153(24).

⁴ MSI Survey Report at 4 (emphasis added).

contrary to the arguments of Title II proponents, that does not mean consumers view Internet access as mere transmission. Rather, the vast majority identify capabilities such as surfing the web, searching for and finding information online, streaming media, or sending and receiving emails as must-have capabilities of their Internet access service.⁵

The MSI survey also confirms that most consumers are aware of integrated features offered by their BIAS provider such as email (*i.e.*, the ability to “generate” and “make available” information); a filter to prevent spam, parental controls, and security protections (*i.e.*, the ability to “process” information); and online storage (*i.e.*, the ability to “store” information). A majority of the consumers surveyed understand that their BIAS provider offers them features that provide each of the capabilities included in the definition of an information service. Moreover, a significant majority of consumers use one or more of these features provided by their BIAS provider, even if they also use comparable services provided by third parties (for example, 70 percent use email provided by their BIAS provider, and 64 percent use email provided by a third party).⁶

In short, just as the Supreme Court recognized in 2005, BIAS is an integrated information service because it “provides consumers with a comprehensive capability for manipulating information using the Internet via high-speed telecommunications,” and “subscribers can reach third-party Web sites . . . and browse their contents” only because BIAS providers offer “the ‘capability for . . . acquiring, [storing,] . . . retrieving [and] utilizing . . . information.’”⁷ The MSI survey confirms that consumers today continue to view BIAS as an inextricable combination of information-processing and transmission, thereby strongly reinforcing the proposal to restore the classification of BIAS as an information service.

Sincerely,



Diane Holland
Vice President, Law & Policy
USTelecom
601 New Jersey Ave., N.W., Suite 600
Washington, DC 20001
(202) 326-7300

Sincerely,



Rick Chessen
Sr. Vice President, Law & Regulatory Policy
NCTA – The Internet & Television Association
25 Massachusetts Avenue, NW – Suite 100
Washington, DC 20001-1431
(202) 222-2445

Attachments

⁵ *Id.* at 5.

⁶ *See id.* at 6.

⁷ *National Cable & Telecommunications Ass’n v. Brand X Internet Services*, 545 U.S. 967, 987, 1000 (2005) (internal citations omitted).

ATTACHMENT A



Broadband Internet Service Users

Prepared for:



Prepared by:



Background and Objectives

NCTA and USTelecom commissioned this research to obtain a more refined understanding of consumer views and preferences regarding their broadband internet access services.

OBJECTIVES



Capability Assessment:

Understand the information service capabilities that consumers expect ISPs to offer

Information Service Use:

Determine the extent and importance of information service use by consumers

Internet Service Provided:

Identify the information service-related features offered by ISPs and used by consumers

Key findings:

Valued Internet Capabilities

A substantial majority of survey respondents indicated that they expect their broadband internet access service to provide the capabilities to acquire, utilize, retrieve, process, generate, store, make available, and transform information.

In addition, these five attributes of broadband internet access service are considered “very important” (must-have) by at least 8 in 10 consumers:

- The ability to search for and find information
- The ability to send and receive emails
- The ability to surf the internet
- The reliability of internet connection
- The speed of internet connection

Awareness of Features Offered by Internet Service Providers (ISPs)

- Almost all consumers (88%) indicated that their ISP provides the ability to access a specific website on the internet by entering a simple website name or address into a web browser.
- A large majority (84%) of consumers indicated that their ISP offers email services.
- Online storage (59%) and virus protection (58%) are the next most common features consumers said are offered by their ISPs.

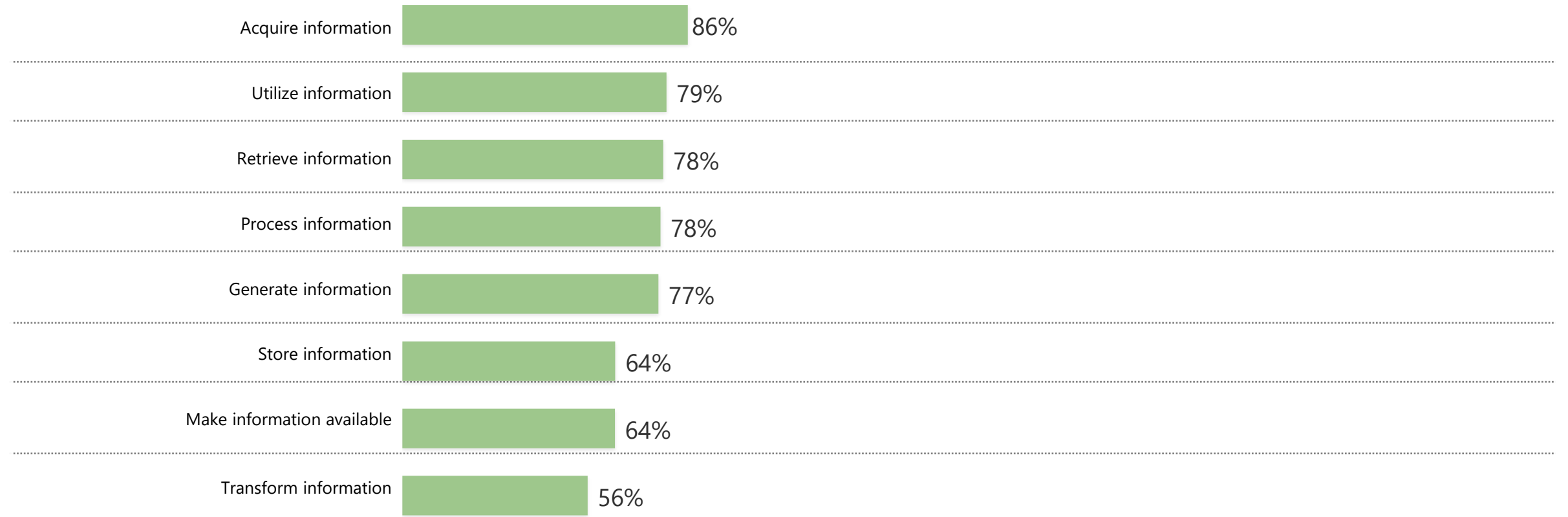
ISP-Offered Features Used by Consumers

- Apart from the feature that makes it easier to access a specific website on the internet, email is the most common feature (70%) consumers said they use from their ISPs, followed by virus protection (44%).
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Consumers expect their ISP to provide all the capabilities of information services.

Consumers' Expectations of Information Service Capabilities From Their Broadband Internet Access Service

(N=1,210)

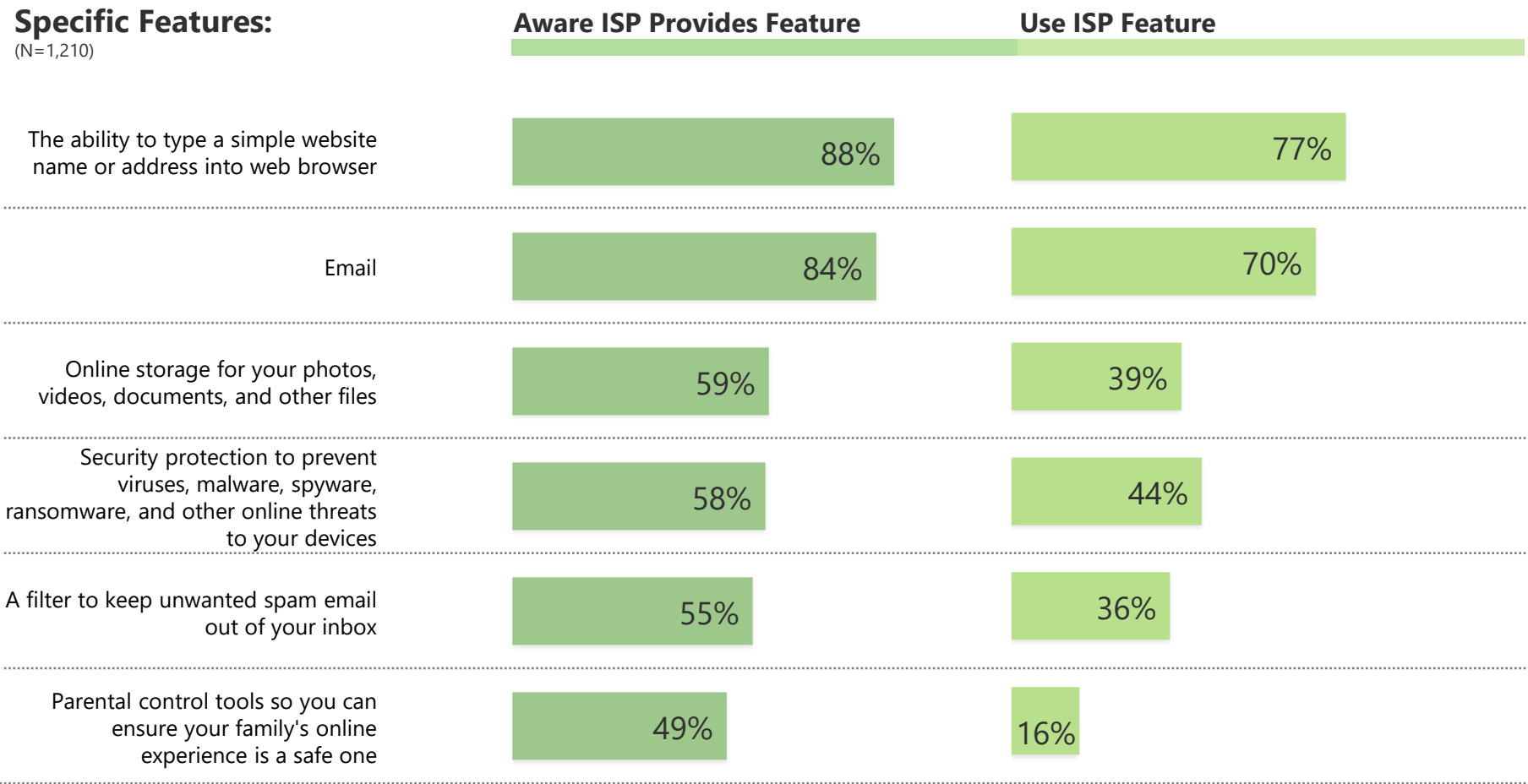


Consumers place significant value on the ability to use broadband internet access service capabilities to search for and find information on the internet, to send email, and to surf the web.

Activities (N=1,210; n=1,193)	"Very Important" (Must-Have)	Ranked in Top 3 for Value
The ability to search for and find information	89%	37%
The ability to send and receive emails	85%	35%
The ability to surf the internet	84%	34%
The ability to shop online	57%	12%
The ability to watch online videos	53%	15%
The ability to stream or download music, books, or other forms of media	52%	13%
The ability to participate in social media, for example by posting photographs or looking at photos others have posted	47%	14%

To enable such activities, a substantial majority of internet users value a reliable (94%) and fast (81%) internet connection.

A significant percentage of consumers know about and use information processing, storage, security and filtering features offered by their ISP.



A majority of consumers are using email provided by their service provider concurrently with email service from another provider.

ATTACHMENT B

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Restoring Internet Freedom

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WC Docket No. 17-108

**DECLARATION OF PRAVEEN CHALISE REGARDING METHODOLOGY FOR
USTELECOM AND NCTA CONSUMER INTERNET RESEARCH**

1. My name is Praveen Chalise. I am an Analyst employed by Market Strategies International (MSI or Market Strategies), a market research consultancy with deep expertise in the consumer & retail, energy, financial services, healthcare, technology and telecommunications industries. Founded in 1989, Market Strategies employs more than 300 consultants, researchers, statisticians, and project managers and specializes in brand, communications, CX, product development, segmentation, and syndicated research.

2. **Study Purpose.** Market Strategies was commissioned by USTelecom – The Broadband Association, and NCTA – The Internet and Television Association, on behalf of their member companies, to conduct a survey of broadband internet access service (BIAS) users for the purpose of studying the various features and functionalities customers expect and value when they subscribe to BIAS.

3. **Methodology.** Market Strategies collected 1210 interviews using a trusted online panel partner to provide the sample. The panel partner for this effort was Full Circle Research.¹ To ensure that the sample collected was as representative as possible of the general population of consumers that use the internet, we employed the following quota targets according to the 2010 US Census based on age, gender, income, and race distribution.

¹ Information about Full Circle is available at: <http://www.ilovefullcircle.com/quality/>.

Gender		Census %	Online Census %	Actual Respondents
Gender	Male	48.6%	47.2%	571
	Female	51.4%	52.6%	636
	Other			3
Total				1210

Age		Census %	Online Census %	Actual Respondents
Age	18 to 29	22.0%	23.2%	281
	30 to 49	36.0%	39.3%	476
	50 to 64	25.0%	25.0%	302
	65+	17.0%	12.5%	151
Total				1210

Annual Household Income		Census %	Online Census %	Actual Respondents
Income	Less than \$30K	31.5%	26.7%	323
	\$30k to \$49,999	19.1%	19.4%	235
	\$50K to \$74,999	17.7%	20.0%	242
	\$75,000+	31.8%	33.9%	410
Total				1210

Ethnicity ²		Census %	Online Census %	Actual Respondents
Race	Asian, Pacific Islander, Asian American	4.0%	5.0%	60
	Black or African American	12.1%	11.3%	137
	Hispanic, Spanish or Latino	15.2%	15.5%	187
	White or Caucasian	68.7%	70.6%	854
Total				1210

² Respondents were allowed to select multiple ethnicities.

4. Our panel partner took steps to support this design by strategically sending invitations to potential panel participants in alignment with our desired sample composition. Thus, the panel was chosen from a non-probability sample of participants who self-selected to participate in an opt-in online panel. Given the extremely low response rates achieved in many market research studies relying on probability samples, we determined that use of an online panel was the best approach to obtain a sufficient sample size to meet the analytical goals and ensure the accuracy of the study.

5. The sample is statistically valid with a margin of error of $\pm 3\%$

6. The study was fielded between July 18, 2017 and July 24, 2017. The average time length for each of the completed interviews was 5.46 minutes.

7. The following screening criteria were used:

- a) Respondent is at least 18 years or older.
- b) Respondent is not an employee of an internet service provider, cable operator or other pay TV provider, telecommunications service provider, or marketing or market research company.
- c) Respondent uses either wired³ (i.e., “fixed”) or mobile⁴ or both broadband internet service.

8. Respondents that did not meet all criteria were disqualified from participating in the study.

³ **Wired (or “fixed”) broadband** internet service was described as “cable, fiber-optic, DSL, or satellite internet service that you use to access the internet at home via devices that are directly connected to your internet service via cables, or over your home wireless/WiFi network.”

⁴ **Mobile broadband** internet service was described as “cellular data connection, such as 3G/4G/LTE from a wireless service provider, [that you use] to access the internet on a smartphone, tablet, or other mobile device.”

VERIFICATION PAGE

I hereby swear under penalty of perjury that the foregoing is true and correct.

I have read the report describing the Broadband Internet Service Users survey, and it accurately reflects results collected and compiled by MSI on behalf of USTelecom and NCTA.



PRAVEEN CHALISE

Dated: August 28, 2017