



Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554
Via Electronic Submission

RE: MB Docket No. 05-311

Dear Secretary Dortch:

On behalf of the Small Business & Entrepreneurship Council (SBE Council), I am writing to express our organization's support for steps the Commission will take at its September 26 meeting to reaffirm the national framework for regulating cable infrastructure, which includes facilities used to deliver broadband. This framework (the Cable Act) has helped to incentivize deployment by providing certainty and consistency, which is necessary for large scale investments. Entrepreneurs, small businesses and the communities they do business with and in must have first-class networks for effectively competing in the global marketplace. More work is needed to bring communities access to better broadband, and a regulatory environment that encourages investment and deployment will lead to greater access.

SBE Council is a nonpartisan, nonprofit advocacy, research and education organization dedicated to protecting small business and promoting entrepreneurship. With more than 100,000 members nationwide, SBE Council is engaged at the local, state, federal and international levels where we collaborate with elected officials, policy experts and business leaders on initiatives and proposals to enhance competitiveness and improve the environment for business start-up and growth. For 25 years we have worked on a range of issues to strengthen the policy ecosystem. Technology and telecommunications policy has remained one of our priority issues, as participation in the digital economy - with all of its tools and opportunities - is critical to small business success and growth, and the health of U.S. entrepreneurship in general.

SBE Council supports an affirmative Commission vote on a Second Further Notice of Proposed Rulemaking in its "Section 621 proceeding" to ensure investments made by cable operators are not discouraged by local officials. Discouraging investments in facilities and new services – including broadband – is a negative for small businesses, and would be a big setback in areas of the country where local officials are tempted to add or impose new fees. Imposing duplicative franchise and fee requirements on non-cable services offered by franchised cable operators (or on the equipment used to deliver those services), again, would hurt deployment. Therefore, it is

important that the Commission reaffirm these limitations under the Cable Act, but also go further by clarifying that these limitations also extend to the provision of broadband.

Congress, private sector leaders and policymakers at all levels are in agreement that broadband access and deployment is a national priority as access and advanced networks are critical to U.S. competitiveness. More importantly, access is critical to improving the quality of life for our citizens and providing opportunities that will lead to greater financial well-being. In terms of entrepreneurship, access to broadband and its many tools is essential for small business success and for economic development in areas of the country that have been left behind, and not connected to the digital economy. On the issue of broadband access and encouraging investments that will bring Americans better service and faster speeds at affordable prices, policies need to be in alignment at all levels of government. That is why SBE Council supports the “reaffirmation” action that the Commission will vote on at its September 26 meeting.

Please feel free to contact SBE Council if you have questions about these comments, or our position on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Kerrigan". The signature is fluid and cursive, with the first name "Karen" and last name "Kerrigan" clearly distinguishable.

Karen Kerrigan
President & CEO

200 Lawyers Road NW #1506 • Vienna, VA 22183 • 703-242-5840
www.sbecouncil.org • @SBECouncil

Protecting Small Business, Promoting Entrepreneurship