



Federal Communications Commission  
Washington, D.C. 20554

December 1, 2017

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: *Restoring Internet Freedom*, GN Docket No. 17-108

Dear Ms. Dortch:

On May 23, 2017, the Commission released a Notice of Proposed Rulemaking (NPRM) in the matter of Restoring Internet Freedom. Through comments, reply comments, ex parte letters, and other submissions, the Commission has developed a substantial record in response to the questions posed in the *Internet Freedom NPRM*.

In crafting rules for this proceeding, the Commission has carefully considered those materials and the materials discussed and cited therein. To facilitate transparency, we note that the Commission staff also have consulted the following sources, all of which are cited in the publicly released draft order:

1. Michael Kent Block, Frederick Carl Nold, and Joseph Gregory Sidak, *The Deterrent Effect of Antitrust Enforcement*, 89 J. Pol. Economy (June 1981).
2. Michael K. Block and Jonathan S. Feinstein, *Controlling Collusion in the Construction Industry: Some Lessons from Recent U. S. Experience*, 10 World Competition.
3. Mark Bykowsky and William W. Sharkey, *Net Neutrality and Market Power: Economic Welfare with Uniform Quality of Service* (2014), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2468188](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2468188)
4. Dosoung Choi and George C. Philippatos, *Financial Consequences of Antitrust Enforcement*, 65 Rev. Econ. & Statistics (Aug. 1983).
5. Graeme Guthrie, *Regulating Infrastructure: The Impact on Risk and Investment*, 44 J. of Economic Literature (2006).
6. See Catherine Hausman and David S. Rapson, *Regression Discontinuity in Time: Considerations for Empirical Applications*, NBER Working Paper No. 23602 (July 2017), <http://www.nber.org/papers/w23602>.
7. Mark Israel, Daniel Rubinfeld, and Glenn Woroch, *Analysis of the Regressions and Other Data Relied Upon in the Business Data Services FNPRM And a Proposed Competitive Market Test*, June 28, 2016.

8. David F. Lean, Jonathan D. Ogur, and Robert P. Rogers, *Does Collusion Pay . . . Does Antitrust Work?*, 51 Southern Economic Journal (Jan. 1985).
9. Giulia McHenry, *Evolving Technologies Change the Nature of Internet Use* (Apr. 19, 2016) <https://www.ntia.doc.gov/blog/2016/evolving-technologies-change-nature-internet-use>.
10. Bruce D. Meyer, *Natural and Quasi-Experiments in Economics*, 13 Journal of Business & Economic Statistics (1995).
11. Howard A. Shelanski, *Adjusting Regulation to Competition: Toward A New Model for U.S. Telecommunications Policy*, 24 Yale J. on Reg. 55 (2007).
12. Joshua D. Wright and Douglas H. Ginsburg, *The Goals of Antitrust: Welfare Trumps Choice*, 81 Fordham L. Rev. 2405 (2013).

As always, we welcome the input of interested parties on the sources listed above, and any other matters related to the proceeding initiated by the *Internet Freedom NPRM*.

Sincerely,



Kristine Fargotstein  
Special Counsel, Office of General Counsel  
Federal Communications Commission