Cody A. Ruegger  
1641 3rd Avenue, 7B  
New York, NY 10128

Dear Federal Communications Commission:

This comment letter is submitted as commentary to Proceeding #17-108 (the “Proceeding”), pertaining to the proposed repeal of the Federal Communications Commission’s (“FCC”) proposed repeal of the Title II rules (the “Rules”) which protect net neutrality.

I and the majority of Americans rely on a free and open internet, free from internet service provider (“ISP”) interference, for business, communication, and expression. Repealing the Rules would enable ISPs to throttle services and exact tolls for any reason or no reason with respect to services they are already contractually obligated and compensated to provide. Such a repeal would thus allow for an unprecedented level of control and censorship over speech and expression on the most ubiquitous and important medium therefor. Censorship of speech and expression by a company rather than a governmental entity is still censorship, and it is every bit as abhorrent to American values of liberty. This fear is not academic – the ISPs are companies whose goals are to maximize profit. If they can make additional money by charging tolls for access to press websites, which the repeal of the Rules will allow them to do, they will do so in spite of the deleterious effects that reduced access to free press would have on the American public.

Let us be clear about the main argument advanced by proponents of repealing the Rules, which is that ISPs should be fairly compensated for providing service to online programs and services that use more bandwidth than others. This argument is nonsensical. ISPs are already contractually obligated and compensated to provide bandwidth to users, and they are compensated based on the bandwidth provided. It thus does not matter economically which particular online services the bandwidth is used for – 100 megabytes of download capacity per second is 100 megabytes of download capacity per second, regardless of whether it is being used for streaming, gaming, downloading, or any mix of the foregoing or other uses. Therefore, allowing ISPs to charge for some uses but not others provides them an unjustified windfall – it does not cost them any more or less to provide the same amount of bandwidth for different uses. If anything, it allows ISPs to set an additional financial hurdle that users must pay for before they are allowed to glean the benefit of bandwidth they have already bargained and paid for. There is no rational basis for such a scheme – the repeal of the Rules would give the ISPs are a plain windfall, with no justification.

The Proceeding has also been rife with misconduct from the ISPs. Many, if not most of the comments, submitted to the FCC in favor of repealing the Rules have were submitted by individuals paid to do so, bots, or some combination thereof. The overwhelming majority of comments submitted by individuals unaffiliated with ISPs have been in favor of maintaining the Rules. Moreover, the FCC’s Chairman, Ajit Pai, has been conflicted from the outset of the Proceeding due to his affiliations to the ISPs, which stand to profit substantially from the repeal of the Rules. That he has not recused himself from the Proceeding is an egregious violation of the principals of administrative law and ethics, and he should do so posthaste.

/s/ Cody A. Ruegger